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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
V. Case No. 4:19-cv-00415
ALEXANDRU BITTNER,
Defendant.

ORAL DEPOSITION OF
ALEXANDRU BITTNER
February 12, 2020

ORAL DEPOSITION OF ALEXANDRU BITTNER, produced as a
witness at the instance of the Plaintiff, and duly
sworn, was taken in the above-styled and numbered cause
on the 12th of February, 2020, from 9:35 a.m. to 5:57
p.m., before Marleen Campbell, CSR, in and for the State
of Texas, reported by machine shorthand, at the law
offices of Clark Hill Strasburger, 2301 Broadway Street,
San Antonio, Texas, 78215, pursuant to the Federal Rules

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of Civil Procedure and any provisions stated on the
record or attached hereto.

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1 citizen, I think I did this (indicating.) I don't
2 remember.
3 Q. Okay. So let's go over some ground rules that
4 will help us as we go through the deposition today.
5 So, for the record, the deposition will be taken
6 under the Federal Rules of Civil Procedure, and so
7 today's deposition is -- do you understand today that
8 your testimony here today is under oath just as it would
9 be if you were in the court?
10 A. Yes, I do.
11 Q. Okay. And one of the things we have to do
12 today, the deposition is -- I'm going to ask questions,
13 and you're to provide answers, but your answers have to
14 be audible. You have to speak. So you can't shake --
15 you can shake your head and nod, and while everyone here
16 in the room will know what you're talking about --
17 A. I just got it five seconds ago.
18 Q. Great. So that makes for a clear record.
19 A. Right.
20 Q. That gets us to the other point, one of the
21 other things we have to do for our deposition today.
22 The court reporter here is going to take down my
23 questions and answers and anything your counsel says, so
24 we have to make sure we don't talk over each other. Can
25 you agree to that?

1 (Witness sworn.)
2 THE WITNESS: I've never done this (indicating)
3 before. I have to make a note.
4 ALEXANDRU BITTNER,
5 having been duly sworn, testified as follows:
6 EXAMINATION
7 BY MR. LINDER:
8 Q. Mr. Bittner, we're here today for your
9 deposition. My name's Herb Linder; I'm with the United
10 States Department of Justice. I represent the United
11 States, and this is in the case of the United States
12 versus Alexandru Bittner, pending in the Eastern
13 District of Texas, Sherman Division, Case No.
14 19-cv-00415.
15 Good morning, Mr. Bittner.
16 A. Good morning.
17 Q. So I'm going to start off the deposition today
18 just kind of going over the ground rules. As we
19 started, you said -- have you ever had your deposition
20 taken before?
21 A. No, I haven't. That was half a joke and half
22 the truth. I never did this (indicating.)
23 Q. Okay. And have you ever testified in court --
24 A. Actually, I think when I became a citizen, but I
25 don't remember. I think when -- in '97 when I became a

1 A. Yes.
2 Q. So it means --
3 A. I will try --
4 Q. Great.
5 A. -- I'll do it.
6 Q. That's great. So what I'm going to do is -- I'm
7 going to ask questions. So you have to let me finish my
8 question.
9 A. Okay.
10 Q. Okay? And then you're going to provide an
11 answer.
12 A. Yes.
13 Q. And then I'm going to try to let you answer
14 before I start my next question. Can you agree to do
15 that?
16 A. We both have to agree.
17 Q. Right. I'll do that. Will you agree?
18 A. Okay. Yes.
19 Q. All right. And that's going to give us a clear
20 record of what's going on today.
21 A. All right.
22 Q. Okay. And if I ask a question and you don't
23 understand it, do you agree to tell me --
24 A. Yes.
25 Q. -- that you don't understand the question?

<p style="text-align: right;">Page 13</p> <p>1 party to a lawsuit --</p> <p>2 A. No.</p> <p>3 Q. -- in the United States.</p> <p>4 Okay. So now we're gonna -- did you prepare for</p> <p>5 your deposition today?</p> <p>6 A. I came here last after -- yesterday</p> <p>7 afternoon--because the flights in the morning are no</p> <p>8 good--and I talked to Mr. Katz for two hours before I</p> <p>9 went to the hotel.</p> <p>10 Q. Okay. And when you were speaking with Mr. Katz,</p> <p>11 did you look at any type of doc- -- did you look at any</p> <p>12 kind of documents?</p> <p>13 A. A few.</p> <p>14 Q. Okay.</p> <p>15 A. Two or three documents.</p> <p>16 Q. All right. And what documents did you</p> <p>17 specifically look at?</p> <p>18 A. I look at Beckley -- what I -- I -- we tried</p> <p>19 together to remember Beckley incident. Then what?</p> <p>20 Then -- what else?</p> <p>21 MR. KATZ: Whatever you remember.</p> <p>22 THE WITNESS: Beckley and -- I -- I saw the</p> <p>23 document which I signed that -- my affidavit of whatever</p> <p>24 it is that -- I have it with me.</p> <p>25 My whole life history, that I was born in</p>	<p style="text-align: right;">Page 15</p> <p>1 THE WITNESS: Right.</p> <p>2 MS. RUBENSTEIN: -- of them.</p> <p>3 THE WITNESS: I didn't say "all." I said, "The</p> <p>4 documents." "Documents."</p> <p>5 BY MR. LINDER:</p> <p>6 Q. Well, okay, let's -- tell me some about like</p> <p>7 your educational background like if you -- where you</p> <p>8 went to high school, if you have a degree. Just kind of</p> <p>9 outlining for me what your educational background would</p> <p>10 be, if you can.</p> <p>11 A. So I went to school in (inaudible) -- being a</p> <p>12 socialist country, which some people should visit before</p> <p>13 they go to vote for socialism -- I have to say this --</p> <p>14 your life it's run by the government beginning with high</p> <p>15 school.</p> <p>16 So you want to go to high school, you have to</p> <p>17 pass an exam. All the kids want to go to high school.</p> <p>18 Usually for the good high schools, there are ten kids</p> <p>19 for one place, and it goes up. You don't pass the high</p> <p>20 school, you are being sent -- you kind of forfeit your</p> <p>21 life, your future, because there is no second chance.</p> <p>22 You are sent to school to make you a mechanic,</p> <p>23 which is not high school. It's school of -- of giving</p> <p>24 you -- school of giving you a job. That's a fair</p> <p>25 translation.</p>
<p style="text-align: right;">Page 14</p> <p>1 Romania and I did this and I did that, that document. I</p> <p>2 had to remember my life, basically.</p> <p>3 Q. All right.</p> <p>4 A. All right, this. This is --</p> <p>5 MR. LINDER: Real quick -- thank you.</p> <p>6 MR. KATZ: Just for the record, Mr. Bittner</p> <p>7 produced copies of three statements of reasonable cause,</p> <p>8 which I believe he was referring to.</p> <p>9 THE WITNESS: Oh, this, yes.</p> <p>10 I'm not doing very good with this. I keep</p> <p>11 forgetting about this microphone.</p> <p>12 BY MR. LINDER:</p> <p>13 Q. And you said you looked at some documents</p> <p>14 regarding -- you looked at some documents regarding</p> <p>15 Mr. Beckley?</p> <p>16 A. Yes.</p> <p>17 Q. And do you remember what you looked at?</p> <p>18 A. I looked at -- I tried to -- first of all, we</p> <p>19 tried to remember how I found Beckley and why I found</p> <p>20 Beckley and so on and so on. And then I looked at the</p> <p>21 documents that Beckley asked me to give to him and what</p> <p>22 I gave to him in order for him to do his work, whatever</p> <p>23 he did.</p> <p>24 MS. RUBENSTEIN: For clarification, we looked at</p> <p>25 just a few Beckley documents, not all --</p>	<p style="text-align: right;">Page 16</p> <p>1 Once you get in the high school, you can</p> <p>2 choose -- high school is four years. High school starts</p> <p>3 after the eighth grade. It's 9, 10, 11, and 12th grade.</p> <p>4 That's high school.</p> <p>5 In year 10 you can choose to be a lawyer, an</p> <p>6 accountant, a writer, a poet, whatever, or you can</p> <p>7 choose to be an engineer, physicist.</p> <p>8 So after the two years, they split the</p> <p>9 curriculum. Here you get a lot of more language,</p> <p>10 philosophy, blah, blah, blah, and here you get a lot of</p> <p>11 mathematics, physics, chemistry and things.</p> <p>12 Q. Okay. And so --</p> <p>13 A. After that I went to -- after that you go to</p> <p>14 university, but you already split your life when you</p> <p>15 were in -- when you were 17, they ask you to split your</p> <p>16 life, the communists. Which they call themselves</p> <p>17 socialists, but they are communists. All of them</p> <p>18 communists.</p> <p>19 Because here you do a lot of math, you go to --</p> <p>20 for to become an engineer, you know, something that has</p> <p>21 to do with math, physics, chemistry, and so on. Here</p> <p>22 you do like they are called liberal choices. You can be</p> <p>23 an accountant, a lawyer, a teacher, stuff like that.</p> <p>24 Q. And which one did you choose?</p> <p>25 A. So I went for -- it's called mechanical. It's</p>

1 called the -- it's Politehnica University of Bucharest,
 2 which is actually well-known in Europe. It's a good
 3 university --
 4 Q. And you went there --
 5 A. -- for --
 6 Q. Go ahead.
 7 A. -- for mechanical engineering, I thought I'm
 8 gonna end -- finish in general mechanics, engineering.
 9 And, of course, the communists decided after two years,
 10 three years, they split us without asking us, and I end
 11 up being a mechanic -- a mechanical engineer for
 12 chemical industry.
 13 Q. Okay. And --
 14 A. So, theoretically, I know how to operate or how
 15 to build or how to make the drawings of a refinery,
 16 since we are in Texas.
 17 Q. Okay. And --
 18 A. And that makes me very intelligent.
 19 Q. It makes you very what?
 20 A. A very intelligent guy. Because of that, I
 21 should know the law of United States.
 22 Q. Okay. So you went through this university for
 23 what, two to three years or --
 24 A. Five years.
 25 Q. -- what? Five years.

1 A. Between the high school and university, you have
 2 to go -- you have to go to the army one year.
 3 Q. Okay.
 4 A. It's not volunteer. It's everybody has to.
 5 Q. So you were in the Romanian Army for one year?
 6 A. Romanian Army for one year.
 7 Q. And what did you do in the army?
 8 A. We've been assigned as brigade of mountain
 9 artillery. So basically what we did is up and down the
 10 mountain all day long.
 11 Q. Okay. And you mentioned being in Texas and
 12 refineries. Have you studied refineries here? Are you
 13 involved in the refinery business?
 14 A. No. I came here in 1992 after I escaped the
 15 communists, and my first job was a dishwasher. And my
 16 first job was in California because my sister was in
 17 California.
 18 Q. All right.
 19 A. She was already here, so she helped me out.
 20 Q. And --
 21 A. But dishwashing has to do with pipes, the flow
 22 of liquid, whatever -- so I am joking. I have to joke
 23 from time to time.
 24 Q. That's okay.
 25 So you left Romania when? When did you leave

1 Romania?
 2 A. I left Romania in 1992, in August, but then I
 3 was sponsored by the Jewish community. Then they kept
 4 us -- they kept us in Italy for two months to -- for The
 5 American Embassy to check up on us. And, then -- so
 6 beginning of December 1992, I was in Los Angeles.
 7 Q. And you were sponsored by Israel. Did you
 8 actually go to Israel?
 9 A. No.
 10 MR. KATZ: Objection; mischaracterizes the
 11 testimony.
 12 BY MR. LINDER:
 13 Q. So you left Romania --
 14 A. It's -- it's somewhere in the --
 15 MR. KATZ: Mr. Bittner --
 16 MR. LINDER: You have to let me finish.
 17 MR. KATZ: -- it would be easier if you --
 18 MR. LINDER: Yeah.
 19 MR. KATZ: -- if you let Mr. Linder ask the
 20 questions --
 21 THE WITNESS: I'm trying very hard.
 22 MR. KATZ: Just answer him, okay?
 23 BY MR. LINDER:
 24 Q. So I know you left -- you left Romania.
 25 A. Right.

1 Q. And you said something about being sponsored,
 2 you got put to Italy. I'm just trying to understand
 3 that process of who sponsored you, how that worked. I
 4 wasn't -- I was just trying to figure that out.
 5 A. International Hebrew Associate. Here --
 6 Q. Okay.
 7 A. -- H-I-A-S, Hebrew International Association for
 8 something. It's a Jewish -- but not only the Jew
 9 participate. But theoretically it's to help the Jewish
 10 people to escape from communist countries.
 11 Q. And --
 12 A. But not -- not you have to escape and go to
 13 Israel. You have to -- we help you to escape, and you
 14 go wherever you want.
 15 Q. Okay.
 16 A. So I went to --
 17 Q. All right. So do you speak different languages?
 18 A. When I was a kid, I used to speak, of course,
 19 Romanian and French very well. I can still read French
 20 and watch -- kind of watch a movie.
 21 When we decided -- the family decided that I
 22 will go to United States, I will come to United States,
 23 I switched to English.
 24 So right now I speak Romanian and English well,
 25 I consider myself. And still French, it's behind, but I

<p style="text-align: right;">Page 21</p> <p>1 cannot speak it. Very funny, I can read it, I can</p> <p>2 understand, but I cannot speak it. It comes out in</p> <p>3 English.</p> <p>4 Q. And that's the only other languages? That's it?</p> <p>5 A. Yes.</p> <p>6 Q. Okay.</p> <p>7 A. We didn't speak -- oh.</p> <p>8 Q. Go ahead.</p> <p>9 MS. RUBENSTEIN: You're okay.</p> <p>10 THE WITNESS: We didn't speak -- we didn't speak</p> <p>11 English at home. It was --</p> <p>12 BY MR. LINDER:</p> <p>13 Q. That was my next question. Thank you. Good</p> <p>14 anticipation on that one.</p> <p>15 So you touched on coming to the U.S. So let's</p> <p>16 just start there. So you came to the United States--and</p> <p>17 I'll make sure to get your testimony correct--sometime</p> <p>18 in December of 1982 --</p> <p>19 A. Correct.</p> <p>20 Q. -- is that right?</p> <p>21 A. Correct.</p> <p>22 MR. KATZ: Objection. I think you misspoke.</p> <p>23 Did I hear '82?</p> <p>24 THE WITNESS: 1982.</p> <p>25 MR. KATZ: 1982. I'm sorry. I'm sorry.</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. And do you know what her husband's name is?</p> <p>2 A. Emil.</p> <p>3 Q. What --</p> <p>4 A. Emil.</p> <p>5 Q. Can you spell that?</p> <p>6 A. E-M-I-L.</p> <p>7 Q. So when you came here in December of '82, did</p> <p>8 you originally start living with your sister? I'm kinda</p> <p>9 trying to understand what --</p> <p>10 A. At that moment they were managers for an</p> <p>11 apartment building, apartment building, apartment</p> <p>12 complex, among other things they were doing. And they</p> <p>13 rented a small apartment in the same building, but</p> <p>14 not -- higher level, so not expensive. At the ground</p> <p>15 level, not so expensive.</p> <p>16 And she told me, "Hey, start to -- I'm gonna</p> <p>17 keep you, pay for your apartment and your expenses.</p> <p>18 Start to accumulate your diploma to find a good job."</p> <p>19 And I said, "Do you see any refineries around</p> <p>20 here?"</p> <p>21 She said, "No."</p> <p>22 I said, "Okay, forget it." So I'm just, "I want</p> <p>23 to work."</p> <p>24 She said, "But your English is not so good."</p> <p>25 I said, "Okay," but just with English not so</p>
<p style="text-align: right;">Page 22</p> <p>1 THE WITNESS: I remember because in the</p> <p>2 communists, they turn off your lights, the whole city.</p> <p>3 The communists turn the big back on. 9:00 o'clock, no</p> <p>4 lights, no power, no nothing. And from -- before</p> <p>5 Christmas in totally dark Romania, come to Christmastime</p> <p>6 in Los Angeles, I was like that (indicating.)</p> <p>7 BY MR. LINDER:</p> <p>8 Q. You came to Los Angeles I think because you had</p> <p>9 a sister --</p> <p>10 A. Sister.</p> <p>11 Q. -- living in the United States?</p> <p>12 A. Yes.</p> <p>13 Q. And what is your sister's name?</p> <p>14 A. C-O-B-A-R, Cobar, Natalia. Natalia. L-I-A, not</p> <p>15 Natalie. Natalia.</p> <p>16 Q. And she lived where?</p> <p>17 A. She lived in Los Angeles.</p> <p>18 Q. Okay. And do you have any other siblings?</p> <p>19 A. She is married.</p> <p>20 Q. Okay. Other than your sister in Los Angeles, do</p> <p>21 you have any other brothers and sisters?</p> <p>22 A. No.</p> <p>23 Q. And is your sister that lives in Los Angeles --</p> <p>24 is she married?</p> <p>25 A. She is married and one kid.</p>	<p style="text-align: right;">Page 24</p> <p>1 good.</p> <p>2 And she was managing a couple of restaurants at</p> <p>3 the time, and she said, "I cannot put you in front</p> <p>4 because you cannot speak this," you know.</p> <p>5 So I said, "What?" Dishwasher. Okay,</p> <p>6 dishwasher. That's it; my first job.</p> <p>7 Q. And so when you came to the United States, did</p> <p>8 you take any -- did you take like any kind of English</p> <p>9 classes, or did you just try to learn English --</p> <p>10 A. No, I did not have time. I was trying to make</p> <p>11 money.</p> <p>12 Q. Okay. And so you started out washing dishes in</p> <p>13 your sister's -- in restaurants that your sister</p> <p>14 managed; is that accurate testimony?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And then --</p> <p>17 A. Second job.</p> <p>18 Q. And then you had a second job.</p> <p>19 A. Yeah.</p> <p>20 Q. Okay. So that --</p> <p>21 A. I wash dishes in the second restaurant. So from</p> <p>22 8:00 in the morning to 1:00 o'clock, and from 2:00 to</p> <p>23 8:00 o'clock in the second restaurant.</p> <p>24 Q. Okay. And was there a time that after you --</p> <p>25 did you have another job other than washing dishes while</p>

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1 you were --
2 A. After washing dishes, I became a cook.
3 Q. Okay.
4 A. Then I became a waiter. Then I became a maître
5 d, like voice over of a bunch of waiters. Then I became
6 a chef. It was a simple food restaurant; not very
7 complicated. And then I became a restaurant manager.
8 And then I had a crisis in my life, and I said,
9 "What am I going to do with this? I'm going nowhere."
10 Then I quit.
11 And I went to do something mechanically with
12 my -- with what I learned. And, actually, I am very
13 mechanically gifted. So I went and I -- the guy hired
14 me later -- the owner hired me. Later he told me he
15 hired me because I was big and he thought I can dig
16 fast, and he hired me as an apprentice plumber. So I
17 started my plumbing stuff.
18 Q. Okay. And so, when did you start -- do you
19 remember what year you started the plumbing?
20 A. Right after -- like within a year. Within a
21 year. I didn't like the restaurant. I -- on the
22 restaurant, I moved fast because I can catch up fast and
23 because probably my sister was in charge. But I didn't
24 like it and I didn't see any future in it, so I moved
25 out of -- probably a year and a half.

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1 Q. All right. And --
2 A. So this is -- once again, if I'm not accurate,
3 this is 1983. Lifetime ago.
4 Q. And how long did you do the plumbing work? Did
5 you do anything other than plumbing work?
6 A. No. What we -- what I did is plumbing
7 apprentice. Then there were -- being in Los Angeles,
8 there were the unions, and the unions had -- said you
9 have to be five years apprentice before you can be a
10 master plumber.
11 And then I remember I still have this diploma
12 from being an engineer. I have a master of science
13 engineer. So I went to the city and I asked the guy at
14 the counter, he said, "I never saw such a thing in my
15 life." He called the boss, the boss said, "What's
16 this?" And he said: This guy has a master in
17 engineering. And I need you to approve me to go to the
18 exam. Not to give me the license, but just to cut the
19 years that the union wanted me, five years. For what?
20 I am -- and he did.
21 Q. So you took the exam?
22 A. I took the exam, and I got "perfect ten" you say
23 in East Europe. Here you say "A plus." So I got my
24 license. And I started to move up on the plumbing
25 scale: Master plumber, then building up -- being in

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1 charge of building new buildings from the ground up and
2 so --
3 Q. And there ever -- during this time frame did you
4 ever -- did you like ever buy and sell real estate? Did
5 you do that?
6 A. In the last year -- in the last year -- I left
7 in 1999 -- at the beginning of '99, I started -- I quit
8 my job. I was at that time with the City of Los Angeles
9 as a master plumber. Good job, good pension, not too
10 much work. Any way --
11 Q. So I want to get back. So --
12 A. So before that, my -- my in-law -- my son -- not
13 son. The guy married to my sister, what's --
14 MR. KATZ: Brother-in-law.
15 THE WITNESS: Brother-in-law.
16 BY MR. LINDER:
17 Q. And what was his name again?
18 A. Emil.
19 Q. Emil --
20 A. Emil.
21 Q. -- Cobar?
22 A. Cobar, C-O-B-A-R. He had this -- he was doing
23 real estate, agent, and he got this idea, and we put
24 some money together and we bought a house. So his job
25 was to find the house, to do the paperwork, and then to

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1 sell the house. And my job was to fix the house.
2 Q. Okay.
3 A. And we were splitting 50/50. At this moment I
4 don't think it's fair, but at that moment I thought it
5 was fair.
6 So we fixed the house, and so probably we did
7 two like this, then I said, "That's it, I'm going back
8 to Romania. Find somebody else."
9 Q. Okay. And while you were in the U.S. before --
10 you said you moved back to Romania in 1990; is that
11 correct?
12 A. In a way, but with the following amendments.
13 Q. Okay.
14 A. At that moment I had a wife and a small kid, so
15 I took off from job, I quit the job, and I went back to
16 Romania by myself. I was staying in Romania like two or
17 three months and coming back to -- to L.A. a month. And
18 I did this for a year until I felt that Romania is --
19 has potential. Then I talked to my wife, and I said,
20 "Okay, let's move."
21 Q. Now, before you went to Romania, you filed
22 United States tax returns; is that correct?
23 A. I was -- I filed, but it was very simple because
24 I was working for somebody and I got salary, and
25 whenever I did that one, two, three houses, it was -- I

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1 Q. Uh-huh.
2 A. -- my beautiful personality. And after that,
3 when we -- we decided when we sold that house in Culver
4 City--I don't know if it's this house or this house or
5 the status, I'm going to find out--we did cash some -- I
6 don't -- 30,000, 40,000, something.
7 Q. All right. So you had some money from the sale
8 of the house?
9 A. Yeah.
10 Q. Okay. And --
11 A. And the -- whatever. Some -- whatever we had in
12 the savings.
13 Q. So you had some savings?
14 A. Yeah.
15 Q. What about loans from anyone?
16 A. (Shaking head from side to side.)
17 Q. No loans?
18 A. No.
19 Q. And when you went there -- when you first went
20 back to Romania, did you open up bank accounts there?
21 A. I think when I moved to Romania there were no
22 banks.
23 Q. Okay. Well, that makes that next question
24 easier. So when you left, you didn't have a bank
25 account when you were living in Romania?

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1 A. There is one bank, which is the communist bank.
2 I mean, I should write a movie about such an event.
3 Any way, the banks came later. Romania was a
4 cash country. Even now it's a cash country. Even now
5 with all the bank -- only Bank of America is not in
6 Romania. Every other bank is in Romania.
7 But later we open. But at the beginning, the
8 first years, impossible. I mean, it would take you half
9 a day to -- for the lady to put the check; the other
10 party will not accept it. They'll ask you: Where is
11 the cash?
12 Q. When do you think you -- what year do you think
13 you opened up your first bank account in Romania?
14 A. '92, '93.
15 Q. Okay. And did you open up accounts in any other
16 countries before you opened up an account in Romania?
17 A. No. In any other countries before I open in
18 Romania, no.
19 Q. Okay.
20 A. Actually, I went from Romania to Italy and then
21 to America. And then from America back to Romania.
22 Q. Okay. So you went back to Romania and you went
23 back there you say full time -- you moved back there
24 with your family in '91, correct?
25 A. End of '90 or '91.

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1 Q. In that time frame --
2 A. Yeah.
3 Q. -- right?
4 Okay. And then my question is: After that move
5 back, did you open up any bank accounts in countries
6 other than Romania?
7 A. No. First Romania.
8 Q. First Romania.
9 A. First Romania for many years.
10 Q. Okay. And when you moved back, I think you said
11 you moved back -- when you permanently moved back, you
12 moved back with your wife and your daughter; is that
13 correct.
14 A. Yes.
15 Q. Okay. And just, in regards to your family, how
16 many children do you have?
17 A. Just -- that's it, one daughter.
18 Q. One daughter. And her name is?
19 A. Christine, C-H-R-I-S-T-I-N-E.
20 Q. And your wife -- you're still married?
21 A. Yes.
22 Q. And what's your wife's name?
23 A. Sherry.
24 Q. Okay.
25 A. S-H-E-R-Y. That's the name she took when we

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1 married; she changed her name. She is from Taiwan, so
2 in front of the judge, she changed the name to Sherry,
3 to a western kind of name.
4 Q. Do you remember what year you became a United
5 States citizen?
6 A. '87 or '88. And I do this by not remembering
7 but by adding five to '82.
8 Q. And why do you -- you said you do this by adding
9 five. Why do you add five?
10 A. Because that's what I remember very clearly:
11 After five years, you get citizenship. But I remember
12 because I learned in Romania before coming to the United
13 States.
14 Q. You said you learned in Romania. How did you
15 learn that in Romania?
16 A. Going to the embassy for the first interview.
17 In Italy -- it's not the first time I talked to The
18 American Embassy.
19 Q. Okay.
20 A. Italy was a stop where you are out from the
21 communists, but they double-check you, if you are not a
22 spy or something.
23 But first meetings, they were in Romania, and
24 then you prepare questions that you want to ask. And
25 they said: You get a green card in three years and then

<p style="text-align: right;">Page 41</p> <p>1 do this. You're supposed to work. You're not supposed</p> <p>2 to serve the (inaudible) so -- I'm joking.</p> <p>3 I mean, you're supposed to be a good citizen,</p> <p>4 which I think I was.</p> <p>5 Q. All right. We didn't cover this earlier. But</p> <p>6 if there's any time you need a break, if you need to</p> <p>7 take a break, use the restroom, you need a drink of</p> <p>8 water or something, you need a break, you just ask and</p> <p>9 we'll take a break.</p> <p>10 A. All right.</p> <p>11 Q. It's just a rule. I just want to make sure you</p> <p>12 understand this so it doesn't happen is that you can</p> <p>13 take a break, but you can't take a break while you have</p> <p>14 a question pending.</p> <p>15 Do you know what I mean by that "question</p> <p>16 pending"?</p> <p>17 A. (Nodding head up and down.)</p> <p>18 Q. So if I've asked a question, you've got to</p> <p>19 answer it --</p> <p>20 A. Like I need to go and think about it.</p> <p>21 Q. Well, I don't want to put suggestions in your</p> <p>22 mind. When I ask a question --</p> <p>23 A. Okay.</p> <p>24 Q. -- you need to answer it, and then if you want</p> <p>25 to take a break, we'll take a break. You --</p>	<p style="text-align: right;">Page 43</p> <p>1 A. Expired.</p> <p>2 Q. Okay. And do you know when it expired?</p> <p>3 A. Six months ago.</p> <p>4 Q. Okay.</p> <p>5 A. Oh. No. I think it expired -- does it not</p> <p>6 expire on your birthday? It's not connected to your</p> <p>7 birthday? I think it's connected -- any way, last year,</p> <p>8 August or after August.</p> <p>9 Q. So any time within the last --</p> <p>10 A. Six, eight months. Something like that.</p> <p>11 Q. Sometime within the last year your passport</p> <p>12 expired.</p> <p>13 A. Right.</p> <p>14 Q. And when you traveled to Romania to move there,</p> <p>15 did you use your U.S. passport to enter the country, or</p> <p>16 did you use your Romanian passport?</p> <p>17 A. You use both.</p> <p>18 Q. You use both.</p> <p>19 A. Because in Romania, at the beginning, if you</p> <p>20 come with U.S. passport, they will investigate you, and</p> <p>21 so you switch the passports: Where am I? In Romania.</p> <p>22 Okay, so Romanian passport. Where I am? United States.</p> <p>23 United States passport.</p> <p>24 Q. So you moved back to the United States</p> <p>25 permanently sometime when?</p>
<p style="text-align: right;">Page 42</p> <p>1 A. All right.</p> <p>2 Q. -- just can't take a break while we've got that</p> <p>3 hanging out there.</p> <p>4 A. Okay.</p> <p>5 Q. And I should have said that earlier, but I just</p> <p>6 want to make sure we got that ground rule in there.</p> <p>7 All right. And when you went back to Romania,</p> <p>8 did you have a -- at that time did you have a U.S.</p> <p>9 passport?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And did you -- at that time when you went</p> <p>12 back, did you still have a Romanian passport?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Do you still have a Romanian passport?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And what about a U.S. --</p> <p>17 A. What I don't have --</p> <p>18 Q. Go ahead.</p> <p>19 A. I don't have a valid U.S. passport because I'm</p> <p>20 too lazy to do -- I have to go to the CVS to take a</p> <p>21 picture, but I -- my kids told me. And I --</p> <p>22 Q. So --</p> <p>23 A. Okay.</p> <p>24 Q. Okay? So right now your U.S. passport has --</p> <p>25 would it be fair to say it's expired?</p>	<p style="text-align: right;">Page 44</p> <p>1 A. To Romania you mean.</p> <p>2 Q. You moved from Romania back to the United States</p> <p>3 approximately when?</p> <p>4 A. What do you mean "back"?</p> <p>5 Q. So you lived in Romania for -- for how long did</p> <p>6 you live in Romania?</p> <p>7 A. Oh. I lived in Romania since 1990 to 2012.</p> <p>8 2000- -- no, 2011, November.</p> <p>9 Q. All right.</p> <p>10 A. Okay.</p> <p>11 Q. And during this time frame, this 1991 to 2011</p> <p>12 time frame, did you always have a valid U.S. passport?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And did you have to ever renew your</p> <p>15 passport?</p> <p>16 A. I think so.</p> <p>17 Q. Do you remember renewing your U.S. passport when</p> <p>18 you were living in Romania?</p> <p>19 A. I always had a valid passport. I don't know</p> <p>20 when I renew it if I was in Romania or if I send it --</p> <p>21 no, probably I renew it at the embassy over there.</p> <p>22 Q. Do you remember how you renewed it?</p> <p>23 A. I just went and said, "I need a new passport."</p> <p>24 Q. Okay. And when you say you went to the embassy,</p> <p>25 did you physically go to the embassy?</p>

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1 A. Yeah. It's -- Bucharest is not like here.
2 Bucharest, everything is 10 minutes away.
3 Q. Okay. So you physically went to the embassy.
4 A. Yes.
5 Q. And when you moved back, you didn't renounce
6 your United States citizenship when you moved back to
7 Romania, did you?
8 A. No.
9 Q. Okay.
10 A. And I did register with the -- with The American
11 Embassy. I was registered -- actually, I re-registered
12 every time I moved my address where I -- I -- my house.
13 Where I used to live in Bucharest, every time I moved to
14 a different address, I --
15 Q. Okay.
16 A. -- re-registered.
17 Q. So explain to me how you registered with the
18 embassy. Explain that process to me.
19 A. It's nothing that I remember, but I would
20 imagine I go there and say, hey, I have a new address.
21 Somebody would say, yes, what's the new address?
22 Q. Okay.
23 A. This is the new address.
24 Q. Okay. So you think you physically went to the
25 embassy and registered?

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1 A. Yes.
2 Q. And do you remember what you registered for?
3 A. I just --
4 MR. KATZ: Objection; form of the question.
5 THE WITNESS: Pardon me?
6 MR. KATZ: You can answer, if you know.
7 THE WITNESS: As an American citizen living
8 abroad.
9 BY MR. LINDER:
10 Q. Okay. Do you remember any kind of certain
11 program that you would have registered in?
12 A. Nothing. No program. And, actually, they
13 didn't invite me for the Fourth of July, which I am very
14 pissed about.
15 Q. Okay. So when you went -- so when you
16 registered, what actually -- do you remember actually
17 what you did? Do you remember filling out any forms?
18 What did you do?
19 MR. KATZ: Objection; asked and answered.
20 If you remember, tell him.
21 THE WITNESS: I don't remember. I remember
22 going there, because I hate talking on phones --
23 BY MR. LINDER:
24 Q. Okay.
25 A. -- so, for sure I didn't do that. I went there

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1 and I tell them, "I'm here. I'm an American."
2 Q. And what else? Do you remember telling them
3 anything else?
4 A. No. They didn't ask anything.
5 Q. Okay. Did you ever go -- did you ever use the
6 internet and go online and do anything with the U.S.
7 embassy?
8 A. No.
9 Q. Why not?
10 A. I don't like internet. I like now internet.
11 Okay. When I didn't make good money and I didn't have a
12 secretary, I don't use the internet. Later I had the
13 secretary, she would use the internet. I don't like
14 telephones and internet. So I would tell the secretary:
15 Do this, do that. But I would not tell her: Register
16 me at the American Embassy. So I would register myself.
17 Q. And I'm just trying -- but you don't
18 actually remember any type of -- do you remember filling
19 out forms?
20 MR. KATZ: Objection; asked and answered.
21 BY MR. LINDER:
22 Q. Okay. Do you remember filling out any type of
23 forms, or do you actually remember what you actually
24 did?
25 MR. KATZ: Objection; asked and answered.

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1 If you remember, answer.
2 THE WITNESS: I assume that I told them -- for
3 sure I went there.
4 BY MR. LINDER:
5 Q. Okay.
6 A. That's a given. Then I told them and they wrote
7 it down or they asked me to fill an address, the new
8 address. I don't know. But I was registered with them.
9 Q. Okay. And to shortcut it, you don't remember
10 any kind of specific form you filled out?
11 MR. KATZ: Objection; asked and answered.
12 THE WITNESS: No.
13 BY MR. LINDER:
14 Q. Okay.
15 A. What --
16 Q. Do you remember -- when you went to the embassy,
17 did you actually talk to anybody at the embassy?
18 MR. KATZ: Objection; asked and answered.
19 THE WITNESS: Usually you talk to actually a
20 Romanian employed by the embassy which actually speaks
21 English, but as soon as he -- he or she see that you
22 also speak Romanian, they spoke in Romanian -- they
23 speak in Romanian.
24 BY MR. LINDER:
25 Q. Okay. And when you went to the embassy, did you

<p style="text-align: right;">Page 49</p> <p>1 ask anyone at the embassy about your obligations as a</p> <p>2 United States citizen while you were living in Romania?</p> <p>3 MR. KATZ: Objection; asked and answered.</p> <p>4 THE WITNESS: Why should I?</p> <p>5 BY MR. LINDER:</p> <p>6 Q. Okay. So the answer to that is you didn't ask</p> <p>7 anybody about that?</p> <p>8 A. No.</p> <p>9 Q. Okay. And did you ever ask anybody at the U.S.</p> <p>10 embassy if you had to file tax returns or anything about</p> <p>11 your United States tax obligations while you were living</p> <p>12 in Romania?</p> <p>13 A. No.</p> <p>14 MR. KATZ: Objection; asked and answered.</p> <p>15 BY MR. LINDER:</p> <p>16 Q. Why not?</p> <p>17 A. Why should I?</p> <p>18 Q. Okay. When you say "Why should I," you don't</p> <p>19 think you had a responsibility to ask questions</p> <p>20 regarding your living as a U.S. citizen --</p> <p>21 MR. KATZ: Objection --</p> <p>22 BY MR. LINDER:</p> <p>23 Q. -- in Romania?</p> <p>24 MR. KATZ: -- form of the question,</p> <p>25 argumentative.</p>	<p style="text-align: right;">Page 51</p> <p>1 A. That would be a fair question for me to ask the</p> <p>2 government?</p> <p>3 Q. Okay.</p> <p>4 A. They didn't do that.</p> <p>5 Q. All right. My question is: When you went to</p> <p>6 the embassy, you didn't ask anybody about federal income</p> <p>7 taxes, did you?</p> <p>8 A. No.</p> <p>9 MR. KATZ: Asked and answered. Objection.</p> <p>10 BY MR. LINDER:</p> <p>11 Q. And when you went to the embassy, you didn't ask</p> <p>12 anybody about any kind of obligation you had regarding</p> <p>13 bank accounts and opening any bank accounts in foreign</p> <p>14 counties, did you?</p> <p>15 MR. KATZ: Asked and answered.</p> <p>16 You can answer, if you know the answer.</p> <p>17 THE WITNESS: No. And I didn't feel like it.</p> <p>18 And I still don't feel like it.</p> <p>19 BY MR. LINDER:</p> <p>20 Q. Okay. And when you were living in the United</p> <p>21 States, did you ever receive a letter from the IRS</p> <p>22 telling you that you had to file tax returns?</p> <p>23 A. When I was living here?</p> <p>24 Q. Uh-huh.</p> <p>25 A. I received -- from IRS, no. I received the</p>
<p style="text-align: right;">Page 50</p> <p>1 You may answer, if you know.</p> <p>2 THE WITNESS: I have an answer, but you're not</p> <p>3 gonna like it.</p> <p>4 MR. LINDER: Let's hear your answer.</p> <p>5 MR. KATZ: Just try to answer the question</p> <p>6 that's asked.</p> <p>7 THE WITNESS: Let's say I am a very important</p> <p>8 IRS people and I want to do some good for this country,</p> <p>9 what I will do? I will call the embassy. I will go to</p> <p>10 the Department of State and say: How many people have</p> <p>11 you registered in Romania? We have, let's quote, a</p> <p>12 thousand. Then I will call my IRS people: How many</p> <p>13 returns do we have from Romania? A hundred.</p> <p>14 Then I will say to the Department of State:</p> <p>15 Would you -- your embassy that has a thousand addresses,</p> <p>16 we have only a hundred returns. Do you want us, the</p> <p>17 IRS, to pay you Department of State so you can send a</p> <p>18 letter to the thousand people that you already have</p> <p>19 registered, to a thousand Americans living in there and</p> <p>20 tell them, hey, guys, come to the embassy. We need to</p> <p>21 tell you something. Or even simply -- very simple, hey,</p> <p>22 check out, you have to pay your taxes, even if you live</p> <p>23 6,000 miles from America.</p> <p>24 BY MR. LINDER:</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 52</p> <p>1 forms, the W-2 and --</p> <p>2 Q. Okay. But you didn't actually receive a letter</p> <p>3 from the IRS saying you had to file a tax return while</p> <p>4 you lived here, did you?</p> <p>5 MR. KATZ: Objection. You're asking about</p> <p>6 things that are so many years old.</p> <p>7 Is that right?</p> <p>8 MR. LINDER: That's not a proper objection,</p> <p>9 Mr. Katz.</p> <p>10 MR. KATZ: I think it is.</p> <p>11 MR. LINDER: You can object to the form of the</p> <p>12 question, you can object to --</p> <p>13 MR. KATZ: I'm objecting to the form of the</p> <p>14 question.</p> <p>15 MR. LINDER: Fine.</p> <p>16 MR. KATZ: If you remember --</p> <p>17 MR. LINDER: That is -- don't instruct the</p> <p>18 witness on how to answer, Mr. Katz.</p> <p>19 MR. KATZ: I'm not instructing the witness how</p> <p>20 to answer the question. I'm telling him to answer the</p> <p>21 question.</p> <p>22 BY MR. LINDER:</p> <p>23 Q. My question is: Did you ever receive a letter</p> <p>24 from the IRS while you were living in the United States</p> <p>25 telling you that you had to file tax returns?</p>

<p style="text-align: right;">Page 65</p> <p>1 capitalists. Communists, what's in the bank you don't</p> <p>2 move, they shoot you. Capitalists, everybody wants to</p> <p>3 do business: What do you need, when you open a</p> <p>4 business.</p> <p>5 A safe, a strong safe, a safe -- a safe, a --</p> <p>6 how do you call that? Stone box. A safe.</p> <p>7 MR. KATZ: Safe deposit box?</p> <p>8 THE WITNESS: Safe. Safe, safe, safe. Safe.</p> <p>9 BY MR. LINDER:</p> <p>10 Q. Got it.</p> <p>11 A. So they didn't have that. Communists didn't</p> <p>12 need that. So they don't have factories, so they didn't</p> <p>13 have that. So I pick it up. So I called my</p> <p>14 son-in-law --</p> <p>15 All the time I --</p> <p>16 MR. KATZ: Brother-in-law.</p> <p>17 THE WITNESS: -- brother-in-law, and I said:</p> <p>18 Find me some very cheap. But, yeah, they not</p> <p>19 gonna -- they don't look good, you know? Doesn't</p> <p>20 matter. Cheap.</p> <p>21 So he found -- he paid here. Later I gave him</p> <p>22 the money. So we got the container of strong boxes -- I</p> <p>23 don't know -- was like this big (indicating.) Safe way,</p> <p>24 safe -- I don't remember the name. And we sold one</p> <p>25 container in one week.</p>	<p style="text-align: right;">Page 67</p> <p>1 A. Yeah.</p> <p>2 Q. -- in the United States.</p> <p>3 A. Right.</p> <p>4 Q. And then you had them shipped to Romania.</p> <p>5 A. Right.</p> <p>6 Q. Okay. And did you have to go get, like, any</p> <p>7 type of an import or export license from --</p> <p>8 A. Romania?</p> <p>9 Q. -- Romania?</p> <p>10 A. At that moment I was with the idea and the money</p> <p>11 that they will do it. I think at the beginning the</p> <p>12 Romanian were not up to it. Later probably they asked</p> <p>13 for license or something, but I was not doing -- I was</p> <p>14 doing the business -- I mean, the idea, and this, not</p> <p>15 the paperwork.</p> <p>16 Q. Okay. So other than the container, what other</p> <p>17 kind of -- what timeframe, the containers?</p> <p>18 A. This took -- we did this for a year. Then they</p> <p>19 -- other people started to bring from closer to -- they</p> <p>20 started to bring from Turkey for this. You can drive</p> <p>21 from Turkey. It's one day drive. And Turkey used to</p> <p>22 have safe, and they bought good safe. Not what I was</p> <p>23 selling. I think they was (inaudible.)</p> <p>24 Q. Did your business have a name, or is this</p> <p>25 something you did just personally?</p>
<p style="text-align: right;">Page 66</p> <p>1 BY MR. LINDER:</p> <p>2 Q. And when you talk about a container, describe to</p> <p>3 me what you mean by "a container." Like a shipping</p> <p>4 container?</p> <p>5 A. A shipping container. Romania has a port. It's</p> <p>6 in the Black Sea. But you've been in the Navy; you</p> <p>7 should know. I am joking.</p> <p>8 So, basically, you pass the Atlantic. You're</p> <p>9 going through the Mediterranean Sea. At the end of the</p> <p>10 Mediterranean Sea, you go through both -- four straits</p> <p>11 and you go to the Black Sea, which is the last body of</p> <p>12 water. And over there, we have a port.</p> <p>13 So a container ship will come to Black -- but on</p> <p>14 the Black Sea, it's also the Ukraines and the Russians,</p> <p>15 so there are a lot of shipping from them, so a container</p> <p>16 will come to deliver to them and deliver something to</p> <p>17 all of port.</p> <p>18 Q. So you had this container --</p> <p>19 A. The container will come to the port. The</p> <p>20 trucking company -- and then it's, like, more or less</p> <p>21 like here: The trucking company will pick it up, bring</p> <p>22 it to a business. You have -- you have to unload right</p> <p>23 away.</p> <p>24 Q. So you bought these safes -- you had your</p> <p>25 brother-in-law -- or you bought these safes --</p>	<p style="text-align: right;">Page 68</p> <p>1 A. No, it was under -- I think the first company</p> <p>2 that I opened in Romania, it was Bittner & Sons, just to</p> <p>3 make it sound ancient, like it was tradition. Bullshit.</p> <p>4 Q. And what was the name of it?</p> <p>5 A. Bittner & Sons.</p> <p>6 Q. Bittner & Sons.</p> <p>7 A. Yeah. And I only have one daughter.</p> <p>8 Q. And so you had the container, and then what</p> <p>9 other kind of stuff were you looking at -- did you do?</p> <p>10 What other kind of investments?</p> <p>11 A. Just -- those were not investments. Those are</p> <p>12 like one of the first --</p> <p>13 Q. Okay.</p> <p>14 A. -- just make some money. Money in, money out,</p> <p>15 very fast.</p> <p>16 Investment, we started -- I started to buy real</p> <p>17 estate. I knew real estate. I knew how to fix houses.</p> <p>18 I could see -- even here, it's from God. I don't -- I</p> <p>19 can see a line if it's horizontal or vertical to an</p> <p>20 eighth of an inch just by looking at it. So I know how</p> <p>21 to build, so I went into property buying.</p> <p>22 A lot of people -- a lot of people very old --</p> <p>23 okay. Communism was started in Romania in 1955, when</p> <p>24 the -- Russia and United States, they drew the line,</p> <p>25 Romania became under the influence of Russia.</p>

<p>Page 69</p> <p>1 Q. Right.</p> <p>2 A. So, basically -- and, actually, during the</p> <p>3 Second World War the Russians pass Romania on the way to</p> <p>4 go to Germany, so we were under Russian tax.</p> <p>5 So in 1955 they won the elections.</p> <p>6 Democratically run elections, the communists won</p> <p>7 97 percent or something. Bullshit. But that's the</p> <p>8 history. And they put this and this tax, so everything</p> <p>9 that they started. So they issue a decree by the</p> <p>10 communist party that all the property will be</p> <p>11 confiscated from the people that sucked the blood of the</p> <p>12 working people -- working class, and the no good people,</p> <p>13 they have to be hanged and so on.</p> <p>14 In that decree, even they were in total power,</p> <p>15 they made a mistake -- they made some mistakes because</p> <p>16 they were stupid. They always are stupid. They said:</p> <p>17 Let's -- we're not gonna confiscate the properties of</p> <p>18 former army people because the army before 1947 was the</p> <p>19 army of the king. Romania was a kingdom.</p> <p>20 And they fought -- at the beginning, we fight</p> <p>21 against the Russian. But later, in '43, we turned</p> <p>22 against the Germans, and together with the Russian,</p> <p>23 we -- but they didn't -- we were conquered by the</p> <p>24 Russians.</p> <p>25 So they said that we're not gonna confiscate</p>	<p>Page 71</p> <p>1 it was a business with both parties happy. So he had</p> <p>2 money to live the last years of his life happy, and I</p> <p>3 got the building.</p> <p>4 Q. How did you find these people?</p> <p>5 A. Remember, all -- everybody from high school,</p> <p>6 everybody from the army, everybody from university, all</p> <p>7 these hundreds of people that I know were still there.</p> <p>8 They didn't go to America.</p> <p>9 Q. Okay.</p> <p>10 A. And then -- so like this, we covered the whole</p> <p>11 real estate. And then -- so, like this, I bought a</p> <p>12 house here, a property there, a piece of land there with</p> <p>13 the old people.</p> <p>14 And then I found this lawyer, which was</p> <p>15 handicapped, no legs actually, and I started to work</p> <p>16 with him. And I saw him, they cut this -- he had some</p> <p>17 degenerative, some disease. They cut his left hand and</p> <p>18 they started to -- nightmare.</p> <p>19 But he was very -- a genius. And he came to me</p> <p>20 and said: Alex -- we did a couple of transactions,</p> <p>21 buying houses from the poor people. He says: Alex, you</p> <p>22 know that the communist party is a dic- something. Oh,</p> <p>23 I said very bad things. But he say: No, no, no. They</p> <p>24 did bad because they are (speaks in foreign language.)</p> <p>25 (Speaks in foreign language) means idiot in Romanian.</p>
<p>Page 70</p> <p>1 this. We're not gonna confiscate for liberal</p> <p>2 professional, like lawyers and doctors and this. We're</p> <p>3 not -- we're gonna confiscate for the big capital, the</p> <p>4 such and such, very bad words, suck the blood of the</p> <p>5 people.</p> <p>6 And they -- this was their law, the communist</p> <p>7 law. And they didn't apply it right. So when I started</p> <p>8 to buy houses, I just was buying houses from people that</p> <p>9 were still alive in 1993, '94, '95. Which they were</p> <p>10 millionaires in '90- -- 1950 and now they were living</p> <p>11 in -- on the street. Okay? At the end of their life.</p> <p>12 So if -- even at that moment, probably the</p> <p>13 property would -- was worth -- I don't know how much.</p> <p>14 Nobody knew because nobody know what in Romania gonna</p> <p>15 happen in 1993. Are we gonna go up capitalists or</p> <p>16 Russia gonna come back again (inaudible)?</p> <p>17 But these old people -- and I was having cash</p> <p>18 from selling safes. Then I sold some kind of whiskey</p> <p>19 from Hungary. Hungary is our neighbor. So we bring by</p> <p>20 truckload. And, so, all kinds of stuff.</p> <p>21 So these people, they wanted to sell. Romania</p> <p>22 didn't have money. The kind of money we're talking</p> <p>23 about for the building, \$3,000. But for them, the guys</p> <p>24 that was living on the street, maybe another five years</p> <p>25 to live, was a bonanza, and for me it was a bonanza. So</p>	<p>Page 72</p> <p>1 Idiot. Also we have the word "idiot". They are idiots.</p> <p>2 They always have.</p> <p>3 They did not apply their own law the right way.</p> <p>4 I said -- they said: Look, I have a client. She's the</p> <p>5 widow of a general, a former army general. She has all</p> <p>6 these properties. The 1955 decree by the communists</p> <p>7 says that her husband will accept, not confiscate, and</p> <p>8 they -- but they still confiscated.</p> <p>9 So I said: Okay, what do we do? Let's sue the</p> <p>10 government. Okay, come on. I sued -- I'm suing. I</p> <p>11 need money to eat, do this, my family -- his father was</p> <p>12 taking care of her. We need help to stay here, I'm</p> <p>13 suing. I said: Okay. How do we -- I signed the lady.</p> <p>14 It was our first case. So he signed the wife, I signed</p> <p>15 with him.</p> <p>16 Hey, we do this together. But he went from --</p> <p>17 he signed with the lady, the wife of the former general,</p> <p>18 that he gonna pay her so much per month. I think we</p> <p>19 were giving -- I was giving to him 500 per month for her</p> <p>20 to be happy.</p> <p>21 We're not gonna ask the money back if we lose,</p> <p>22 and if we win we take 80 percent -- no -- 20 percent of</p> <p>23 the property and she takes 80 and we have the first</p> <p>24 right to buy the 80. Something like that.</p> <p>25 Q. Okay.</p>

<p style="text-align: right;">Page 73</p> <p>1 A. Sounds more complicated than it is. But it was 2 done by him. He was very smart. And we won. After 3 three years, we won. We were the first -- he was the 4 first case we won -- we won against the government. 5 Q. And do you remember what year that was? 6 A. '94, '95. Something like that. 7 Q. And so, when you're talking about -- earlier, 8 before you got into that, you were talking about the 9 mistakes that the communist party made regarding the 10 property of former army members and lawyers and doctors. 11 Who -- did you discover that mistake, or was that this 12 attorney? 13 A. This guy. This guy. 14 Q. Okay. 15 A. And, actually, at the beginning, the first case, 16 he was for it, because he said: Hey, man, let's sue the 17 government. Yeah, screw them. We sue them. Okay, 18 good, yeah. 19 And after that, after we -- even in Romania it 20 doesn't work like here, the precedent. I mean, you can 21 go with a case to the supreme court, same case, same 22 one -- one time the supreme court will say yes and the 23 same case -- same type of case next time can say no. 24 It's not like here. One time and then it's a precedent 25 now.</p>	<p style="text-align: right;">Page 75</p> <p>1 only investor, the only one putting money into this -- 2 the buyer of these properties, of these lawsuits? 3 A. Yes. 4 Q. Okay. And so how are you determining -- you 5 were going to buy back properties. How were you 6 determining the price that you're gonna buy back the 7 properties at? 8 A. Smell. I kind of smell it. Or you have to know 9 the city, and you have to be -- being born there, you 10 know there are some good districts, you know there are 11 some bad districts, some districts when it rains, the 12 water it's flooding the basement. 13 It's like -- it's real estate like here. I 14 cannot come here and start a real estate business 15 without knowing the city. 16 Q. All right. And what time frame was these 17 lawsuits going on? What years, do you remember? 18 A. We started -- we started big time I think '94, 19 '95. And some of them we finished 2007, 2008, 2000- -- 20 some of them are -- were part of the years that I -- we 21 had with the IRS. Some of the money was from cases that 22 I started in '94, but it takes -- the government like 23 here protects itself, or you go to -- in Romania it's 24 called tribunal, then it's appeals court, then it's 25 supreme court. And the government has to go on all</p>
<p style="text-align: right;">Page 74</p> <p>1 But after that we took -- he took dozens of 2 cases. Actually, he started to hire other lawyers. He 3 was -- I was talking to him. He was in charge of these 4 other lawyers, and we had like -- like a factory of 5 lawsuits. 6 And, basically, then we set up at 25 percent we 7 will get for our trouble. If we lose, we don't get 8 anything, but they don't need to pay us anything. If we 9 win, we win 25 percent of the property and the right 10 of -- to be offered the other 75 percent, which actually 11 when we were getting closer, knowing that we gonna win, 12 we will make an offer and say: We know we're gonna win. 13 It's gonna take another six years -- six months, eight 14 months, a year. Would you sell it? We'll buy it now; 15 we pay you so much. Yeah. Okay. 16 That's big -- that's the big money. That's big 17 money into this real estate. 18 Q. And into this real estate, whose money are you 19 putting into this? 20 A. My money. 21 Q. Yours? 22 A. Yeah. 23 Q. Are you the only person putting the money in? 24 A. What do you mean? 25 Q. So you're talking about investing. Are you the</p>	<p style="text-align: right;">Page 76</p> <p>1 three of them. Even they know already they gonna lose 2 because they lost the first one and the second one. 3 But they -- and then once you get the second and 4 the third one, it's one here and zero next year and zero 5 next year. 6 MR. LINDER: Off the record. 7 (Discussion off the record.) 8 BY MR. LINDER: 9 Q. And so when you were doing this, were you just 10 using your own cash? Were you going to get financing 11 from the bank? How was this -- 12 A. I never took financing from the bank. 13 Q. No bank loan. 14 A. No bank loan. 15 Q. And how are you keeping track of the money 16 you're spending? First of all, did you keep track of 17 the money you were spending and the properties you were 18 purchasing in these lawsuits? 19 A. I have to remind myself that this is something 20 official. Otherwise -- I keep large -- large amounts. 21 I am not the guy to do, oh, I came here with the card; 22 how much did I spend for the gas? Five cents. Five 23 cents. And this is related to what business? The 24 business with -- so this five cents goes to that house. 25 I don't do that.</p>

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1 this was like 400 feet of sand dune. Sweet water, salt
2 water, sand. And over there they had some buildings
3 from the communist time where the fishermen will sleep.
4 And this guy bought a few buildings and made them a
5 little bit nicer. The catch was that you had power, the
6 communist pulled power I don't know how many tens of
7 miles to get power to that place in the middle of
8 nowhere, totally wild, and the beach south -- the beach
9 to the Black Sea, 50 miles, nobody (Inaudible) 50 miles
10 nobody, in the middle of nowhere with electricity; very
11 important.

12 So I see the potential, and I ask the guy: Why
13 you don't make real? Why don't you make hotels? Why
14 you don't make real business? He said: Oh, I don't
15 have money. And within a year he sold it to me, and I
16 started to make -- to make real for vacation.

17 But getting -- to get there, this was part of a
18 huge communist enterprise that actually was not curious.
19 The business was fishing, canning fish, smoking fish,
20 cutting fish, making filets, making all kinds of fish
21 pastes, whatever, also canning and fresh fish for the
22 market. Catching from the wild or raising. Huge. I
23 mean, one lake was two times 2.2 -- was 4,400 acres one
24 basin, the biggest basin. One basin of fish, 4,400
25 acres of water.

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1 So I bought the company from the government for
2 nothing, more or less, because nobody wanted it. It was
3 a monster. It was a monster to guard the fish.

4 Q. Excuse me. You said to what?

5 A. Guard.

6 Q. To guard.

7 MR. KATZ: Guard.

8 BY MR. LINDER:

9 Q. Okay.

10 A. To protect because all the peoples, they
11 think -- over there they think, I live in this village,
12 this is in front of my village, the fish is mine. And,
13 no, it is not yours; it's mine because I took the fish
14 and I'm fishing here. No, no, it's mine because I live
15 here. You know, these kind of people.

16 So any way, and then I invested a lot of money.
17 And then I came to the stream of things that the
18 communist think, yes, I need the canning factory, and I
19 ended up possessing factory because one day you catch
20 huge amounts. I mean, from the wild. What you process
21 from the -- raising the fish, you can more or less
22 manage, but in the wild you go and you catch a hundred
23 metric pounds of fish. What do you do with that? You
24 can sell -- okay, you sell 20 pounds. You cannot keep
25 them. So you need the factory.

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1 So we made -- tried to -- everything on the
2 presumption, which I won. The government issue an
3 international tender for the fishing rights for that
4 area, which is 80 percent of the Danube Delta. It was
5 published internationally because it was a huge -- I
6 mean, we're talking millions of acres. Okay? It was
7 international and blah, blah, blah, and I won a big
8 portion which was to my interest, where I had -- where I
9 owned the land, I won the rights of the water.

10 But the intention -- so the intention was for
11 people to come to start to invest. So the government
12 said: Okay, we'll give you ten years. And then, if you
13 do what you say in your plans that you're gonna do, we
14 gonna give you sequential -- did I say it right?

15 MR. KATZ: Yes.

16 THE WITNESS: -- sequential, another ten years,
17 meaning or even more, and again, if you keep your part
18 of the deal to do investments and this and protection
19 and this and everything.

20 BY MR. LINDER:

21 Q. So you had to -- you had to submit some kind of
22 plans to the government?

23 A. Yes.

24 Q. More like an investment plan? An investment
25 portfolio?

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1 A. Yes.

2 Q. Would that be fair?

3 A. Yes.

4 Q. And you're doing that to, what, obtain the
5 fishing rights?

6 A. To obtain the fishing right. I had bought from
7 the government -- before the auction of the fishing
8 rights, I bought the land, the buildings, the old
9 buildings that belonged to the old communist enterprise,
10 the fishing company, blah, blah, blah and the company,
11 so I had the land.

12 Q. All right. Let me stop you. So you bought the
13 land.

14 A. Yes.

15 Q. And you bought that from the government.

16 A. Yes.

17 Q. Okay.

18 A. As an entity. As a business.

19 Q. As a business.

20 A. Right.

21 Q. So you -- make sure I got this right. So you
22 formed a business?

23 A. No. I bought the business.

24 Q. You bought the business.

25 A. Yes.

<p style="text-align: right;">Page 89</p> <p>1 Q. Okay. You bought the land. Did you buy the</p> <p>2 land in your name? Did you start a company and have the</p> <p>3 company buy land? How did you -- that transaction on</p> <p>4 the land, how did that work?</p> <p>5 A. The government in 1990 split the whole country</p> <p>6 into business. Even before they were made in a</p> <p>7 communist kind of way as a business, but in 1990 they</p> <p>8 made it into a business the western style kind of way.</p> <p>9 But they took this communist piece of glass and they</p> <p>10 make papers for the same glass in the western style way.</p> <p>11 And I bought this. I bought the company.</p> <p>12 Q. So you bought a company --</p> <p>13 A. Yes.</p> <p>14 Q. -- and when you -- so you bought a company. It</p> <p>15 was like a canning --</p> <p>16 A. Not the canning. Yes. Theoretically, yes.</p> <p>17 Q. And what was the name of the company, do you</p> <p>18 remember?</p> <p>19 A. They were Piscicola --</p> <p>20 Q. Okay.</p> <p>21 A. -- Jurilovca. That is one. Piscicola.</p> <p>22 Piscicola means -- (Speaking Romanian) is fish in</p> <p>23 Romanian. So Piscicola is -- has to do something with</p> <p>24 the fish. Piscicola --</p> <p>25 MR. KATZ: P-I-S-C-I-C-O-L-A.</p>	<p style="text-align: right;">Page 91</p> <p>1 A. Okay.</p> <p>2 Q. So you bought these from the government. Now,</p> <p>3 did you buy them -- did you buy them you personally just</p> <p>4 100 percent? Did you have investors? How did you buy</p> <p>5 them from the government?</p> <p>6 A. When I say I buy them is for sure -- I made the</p> <p>7 decision and for sure I put most of the money or part of</p> <p>8 the money.</p> <p>9 Q. Okay.</p> <p>10 A. How we went about it, I don't have any idea.</p> <p>11 Q. You didn't -- so who would have negotiated with</p> <p>12 the government for -- did someone --</p> <p>13 A. I would. I would.</p> <p>14 Q. So you negotiated with the government.</p> <p>15 A. Yeah. But the form -- I would negotiate. I</p> <p>16 would do the main thing. If it was for many days,</p> <p>17 somebody else will go. I don't have time. I cannot</p> <p>18 take it. So someone else will go, and the form -- at</p> <p>19 the end of the negotiation, the forms that I put my</p> <p>20 name, at one moment, was in the '90s I would put my</p> <p>21 name. Little by little, I started not to put my name</p> <p>22 because my name will cost me money. I will explain</p> <p>23 after this explanation.</p> <p>24 So somebody else will go. So if you ask me on</p> <p>25 Jurilovca who bought it, I did. Who's on the paper? I</p>
<p style="text-align: right;">Page 90</p> <p>1 THE WITNESS: Piscicola is the general name --</p> <p>2 MR. LINDER: Okay.</p> <p>3 THE WITNESS: -- Jurilovca is one village.</p> <p>4 Murghiol is another village.</p> <p>5 MR. KATZ: J-U-R-I-L-O-V-C-A. Murghiol is</p> <p>6 M-U-R-G-H-I-O-L?</p> <p>7 THE WITNESS: Yes.</p> <p>8 MR. KATZ: All right.</p> <p>9 BY MR. LINDER:</p> <p>10 Q. And then what about Piscicola Tour? Is that</p> <p>11 another company?</p> <p>12 A. Yeah, which I -- I made that one. I didn't buy</p> <p>13 it from the government.</p> <p>14 Q. You made that company.</p> <p>15 A. Yeah. Tour means touring like in English. I</p> <p>16 made that at the beginning to take care of 22 tourists,</p> <p>17 you know, because remember that I started with the Delta</p> <p>18 when I saw that beautiful piece of sand between the sea</p> <p>19 and the sweet water.</p> <p>20 Q. So you got the Piscicola Jurilovca, and then</p> <p>21 Murghiol, those are ones you bought from the government.</p> <p>22 A. Right.</p> <p>23 Q. Okay. Now --</p> <p>24 A. It will --</p> <p>25 Q. You got to let me go.</p>	<p style="text-align: right;">Page 92</p> <p>1 don't remember.</p> <p>2 Q. Who put in the money to buy this?</p> <p>3 A. I would or I would be -- me and some other</p> <p>4 people, but I will be in charge. It's either me</p> <p>5 100 percent or me and other partners with me in charge.</p> <p>6 Q. And you were in charge.</p> <p>7 A. Yes.</p> <p>8 Q. And who would have drafted up all the paperwork</p> <p>9 to buy these?</p> <p>10 A. Lawyers.</p> <p>11 Q. Lawyers.</p> <p>12 A. (Moving head up and down.)</p> <p>13 Q. Okay. And who would have selected the lawyers?</p> <p>14 A. My main lawyer.</p> <p>15 Q. Your who?</p> <p>16 A. My main lawyer.</p> <p>17 Q. Your main lawyer.</p> <p>18 A. (Moving head up and down.)</p> <p>19 Q. And who was your main lawyer?</p> <p>20 A. Different.</p> <p>21 Q. Okay. In regards to this transaction, buying</p> <p>22 the Piscicola businesses from the government, who was</p> <p>23 your main lawyer?</p> <p>24 A. Don't remember.</p> <p>25 Q. You don't remember. Okay.</p>

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1 Now, did you have, like, main lawyers for
2 different types of businesses? Did you have one main
3 lawyer for everything you did? I'm trying to figure out
4 how you operated.
5 A. I had a main lawyer, like a lawyer friend.
6 Q. Okay.
7 A. At the -- from '90 to '93, before my wife moved
8 to -- moved 100 percent in Romania, it was a lady
9 lawyer, very nice.
10 After that was a guy which was a former colonel
11 in the secret police or something, but he was a lawyer.
12 You see, the lawyer actually which was my friend, but he
13 was busy with buying properties, so eventually maybe I
14 ask him an idea, and he would say something, but he was
15 busy. I didn't have like a main lawyer from -- for
16 20 years.
17 Once I (inaudible) considered good, he will be
18 my lawyer for two, three years. Then they will be the
19 first guys that I would go to and say: Look, I want to
20 do this and this and this and this. Not in Bucharest.
21 300 kilometers in Tecuci. Tecuci is -- it's a county
22 inside the state. I don't know. It's a part of
23 Romania. Do you know anybody? And why I want to do
24 this? Which actually you have to do with the government
25 which is in Bucharest but also some government which is

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1 In Tecuci. It's very complicated this business in
2 Romania because they act so stupid.
3 Any way, so he would say: Oh, I can do this
4 for -- whatever it is in Bucharest and over there, let
5 me think, and then he will give me a number. He, call
6 this guy, and he will come meet with you and you explain
7 what you want. Okay. So like this.
8 Q. So I'm (inaudible.) So from like '90 to '93 you
9 had a lady friend, a friend who was a woman and she was
10 a lawyer. Do you remember her name?
11 A. I can't remember.
12 Q. Okay.
13 A. I cannot.
14 Q. And so from like '93 to a date in the '90s, you
15 had another friend, a man lawyer that was your main
16 lawyer?
17 A. Yeah.
18 Q. And who was that, do you remember?
19 A. Last name Nicoli. I don't know -- I don't
20 remember first name.
21 Q. So on these -- when you're going -- what type of
22 lawyers are these?
23 A. In Romania it's not like here. The lawyers
24 are -- at least at the beginnings. At the beginnings,
25 doing -- and I call it beginnings. The 10 years, from

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1 1990 to 2000, the lawyers are generals.
2 Then even -- but even then they split, family
3 lawyers, you know, divorce, divorce, divorce, divorce,
4 divorce. Family lawyers, they are -- for sure they are
5 split criminal lawyers and civil. I mean, business
6 lawyers, civil lawyers. But on civil lawyers it's not
7 like tax lawyer and merger and whatever and acquisition
8 and -- no. It's all together.
9 Q. So when you're going to do this deal to buy the
10 company from the government, you went to the lawyers for
11 advice? What did you go to these lawyers to do?
12 A. For advice and sit next to me when I negotiate.
13 Q. And --
14 A. Sit next to me if I -- maybe I -- over something
15 which is not -- I am not protecting enough or it is not
16 a good idea or something, they will say: This is not
17 right.
18 Q. Okay. And I'm just -- the company you
19 purchased, the Piscicola companies from the government,
20 did you do that in cash? Did you wire transfer the
21 money? How did you get the government the money?
22 A. Cash, wire transfer, whatever. They don't
23 like -- government don't like cash --
24 Q. Okay.
25 A. -- too much. They like wire transfer.

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1 Q. And do you remember what bank account you would
2 have paid for these companies out of?
3 A. No.
4 Q. You might have already told me. In what year
5 did you -- do you remember what year you purchased the
6 companies from the government?
7 A. The fishing -- I've been purchasing companies on
8 all kinds of ideas all the time.
9 Q. In regards to the fishing companies.
10 A. The fishing company I started after -- I think
11 2000 and 2001, that's when I started. Maybe before.
12 Maybe 1990 -- I don't know.
13 Q. And Piscicola Tour, when did you start that?
14 A. The same, 2000.
15 Q. And are any of those companies, the three
16 Piscicola companies we talked about, still operating?
17 A. In Romania you have a step before bankruptcy. I
18 don't know how to describe it in English. It's you are
19 on lockdown. You are not on bankruptcy, so the judge is
20 not starting to sell, but you are on lockdown. Nobody
21 can come and -- actually, nobody works at the company;
22 the company is locked down. You cannot issue invoices,
23 you cannot receive money. Everything is locked, locked
24 down.
25 Q. And --

<p>Page 97</p> <p>1 A. So they are in this kind of procedure.</p> <p>2 Q. And after you bought the company, the Piscicola</p> <p>3 companies, who kept track -- who ran the companies?</p> <p>4 A. The guy that I moved there. You have -- this --</p> <p>5 this Delta, this concept, the Danube River Delta, it's</p> <p>6 the Danube River that starts from Germany, goes</p> <p>7 throughout Europe and goes into the Black Sea in</p> <p>8 Romania, in Romanian territory.</p> <p>9 Before it goes into the Black Sea, forms this</p> <p>10 like gluey sand kind of stuff. So this -- and that is</p> <p>11 300 kilometers. It's 220 miles, 250 miles away from</p> <p>12 Bucharest. This is number 1. Number 2, the roads in</p> <p>13 Romania are total disaster, so don't think four hours</p> <p>14 drive. You think eight hours drive in -- on real</p> <p>15 condition. Because there are potholes and potholes and</p> <p>16 the cow, it goes in the road; it's a nightmare.</p> <p>17 Okay. So you have to have somebody that lives</p> <p>18 there. You cannot have somebody -- and you cannot do</p> <p>19 business on the phone with the fishermen. What, the</p> <p>20 fishermen didn't even go to school not four years. Not</p> <p>21 at all school.</p> <p>22 So we bought a house, and I found a guy that</p> <p>23 went with me to university, a colleague, Negrea,</p> <p>24 N-E-G-R-E-A, that -- he took the job.</p> <p>25 Q. So when you say he took the job, so you were the</p>	<p>Page 99</p> <p>1 any way --</p> <p>2 Q. Okay.</p> <p>3 A. So I was managing him by talking to him like</p> <p>4 that every other week, or when I was there or talk -- he</p> <p>5 would call me if something important was -- or something</p> <p>6 happened.</p> <p>7 Q. And then also when you were describing that with</p> <p>8 Mr. Gheorghe, you said you also may have hired the</p> <p>9 accountant. Is that -- so why would that be important</p> <p>10 for you to hire the accountant?</p> <p>11 A. I said not with him.</p> <p>12 Q. Okay.</p> <p>13 A. With him I didn't hire the accountant.</p> <p>14 Q. Okay.</p> <p>15 A. He found -- he found local because not --</p> <p>16 otherwise, you bring from Bucharest, for everybody you</p> <p>17 have to buy a house to -- for them to live in. So he</p> <p>18 found somebody local. I said in general.</p> <p>19 Q. In general.</p> <p>20 A. Yeah.</p> <p>21 Q. Okay. So, in general, during this time frame</p> <p>22 you were in Romania, you actually -- you hired</p> <p>23 accountants before?</p> <p>24 A. Not really.</p> <p>25 Q. Well, you told --</p>
<p>Page 98</p> <p>1 one that hired him. Would that be fair to say?</p> <p>2 A. Yeah.</p> <p>3 Q. Okay. And then -- so you would hire -- did you</p> <p>4 just hire him and hire all the men and the people or</p> <p>5 just him and let him run --</p> <p>6 A. I hired him and maybe, maybe, maybe, sometimes I</p> <p>7 want to see the accountant maybe.</p> <p>8 Q. Okay.</p> <p>9 A. But other than that --</p> <p>10 Q. Okay.</p> <p>11 A. -- his job.</p> <p>12 Q. Okay. And after you hired him, did you</p> <p>13 supervise him? How did you keep track of this</p> <p>14 individual?</p> <p>15 A. He was -- he was coming every weekend or every</p> <p>16 second weekend because his wife and two kids were in</p> <p>17 Bucharest. So he was coming to Bucharest every weekend</p> <p>18 or every two weekends or every three weekends, if that,</p> <p>19 and I was with him. I was not going there from</p> <p>20 September to March, because it's -- in the beginning and</p> <p>21 the end and it's rain and big month, and then it's</p> <p>22 winter. And if you catch a storm -- a winter storm when</p> <p>23 it's -- it's just -- how you call that? Field.</p> <p>24 300 miles of field, flat, not a tree, not a nothing. If</p> <p>25 you catch a storm there, that's it, you are done. So</p>	<p>Page 100</p> <p>1 A. I said that mostly. I mean, some -- I don't</p> <p>2 know, out of ten, maybe -- out of ten companies, maybe I</p> <p>3 had one or two.</p> <p>4 You hired the accountant because usually the</p> <p>5 accountant has the -- or you pay attention -- you don't</p> <p>6 hire. You pay attention to the accountant because</p> <p>7 usually the accountant is the person that has the money</p> <p>8 on the hand. He has the hands on the money. Either, if</p> <p>9 it's cash, he keeps it and has a certain piece of paper</p> <p>10 that he has, the government can come and say: Stop.</p> <p>11 What are you doing? How much cash do you have? And you</p> <p>12 have to have this paper.</p> <p>13 You are allowed to do cash business in Romania</p> <p>14 under the rule that they can come and say: Stop. Show</p> <p>15 me your cash. And if -- for that day. And if the cash</p> <p>16 doesn't match the paper, you are in trouble. But other</p> <p>17 than that, you can do cash business.</p> <p>18 Q. Okay.</p> <p>19 A. So this guy, you want to pay attention who you</p> <p>20 hire because he has the cash and also -- usually you</p> <p>21 don't have -- you can put somebody else, you can put the</p> <p>22 guy at the door, but usually you put him in charge with</p> <p>23 the bank. He talks to the bank and wires payments or</p> <p>24 receives payments or something like that.</p> <p>25 Q. So how would you keep track of the accountant?</p>

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1 A. What do you mean "keep track"?

2 Q. Well, I mean, did you review his books? Did you

3 review what he was doing? So how did you keep track --

4 A. I keep track of the main guy, the guy that is my

5 friend. Usually I always -- I always put friends or

6 people that I know for long time or people that my good

7 friends know for a long time. The guy that runs the

8 business. Then it's his problem with the accountant,

9 but sometimes I will ask him: Hey, who is your

10 accountant? Where did you find him? Did you

11 double-check on him? Did you do this? Did you do that?

12 Q. And when you're doing that, when you're

13 double-checking and doing this or doing that, what are

14 you looking for?

15 A. Hopefully that he was not fired from the last

16 business because he was cash -- he had some cash

17 missing.

18 Q. And to be an accountant in Romania, do you have

19 to have any kind of formal schooling? Do you know

20 anything that they have to do?

21 A. It's very -- we have a -- we have a university

22 for accountant. We have a school for accountant. You

23 go four years after -- after high school, you go to

24 this -- it's called The Academy of Economic Studies

25 where you can end up being an accountant with a diploma

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1 four years after high school.

2 But what was the question? I forgot the

3 question.

4 Q. I was just asking you in Romania how you become

5 an accountant, and you said --

6 A. Yeah. So you can have this type, but also you

7 can have somebody that he's an accountant because he

8 says he's an accountant and you trust him to be an

9 accountant.

10 Q. You don't have to be licensed?

11 A. Not a special license to.

12 Q. Any other companies that were associated with

13 the fishing and the seafood products that were coming up

14 from the rights that you had in the Danube?

15 A. I think together there are over ten companies --

16 Q. Okay.

17 A. -- in and out of that concept.

18 Q. Okay. And do you know what the name of those

19 companies are?

20 A. Oh, no. Not by heart. We can --

21 Q. Tell me about a company -- are you familiar with

22 a company called -- or investment called Global Re?

23 A. Yeah. But this has nothing to do with Romania.

24 Q. That has nothing to do with Romania.

25 A. No.

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1 Q. What does that have to do with?

2 A. This is a -- I bought that one time -- okay.

3 Little bit of history: As you could see -- and I don't

4 want to start to -- the Romanian history beginning.

5 Since the Romans conquered our country, this

6 country is in the middle, next to Russia, next to the

7 Turks, next to where the gate of Europe, so we never had

8 peace. And we were a kingdom. And after kingdom we

9 become communists. And after communists, we became --

10 let's call it capitalists, but you never know.

11 So I had my ideas not to -- when I had enough

12 eggs. In the beginning, I did not have eggs, so no

13 problem. But when I started to have eggs, I had -- so I

14 don't have problems not to have all the eggs in the same

15 place. At least this is a popular saying in Romania:

16 Not to keep your eggs in the same place.

17 So with a friend that was living there and

18 he -- he told me -- I think this was 2000-something.

19 2002, 2003.

20 Any way, he was -- he was in Switzerland. And

21 he said: Listen, you guys gonna join the European

22 Union. You know that? I said, yeah, okay. Yeah, but

23 you're gonna change to euro, which actually we didn't

24 change until today. I said: Oh, that's interesting

25 because -- any way, you can -- with the Romanian leis,

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1 the bank -- the central bank can play with it. So today

2 you think that you have \$100,000 and tomorrow you can

3 have only 90,000 or you can have 110-, but I'm talking

4 money over denomination that doesn't do like this.

5 So I was thinking about euro -- euro would be

6 nice, uh-huh, and he said: I know these guys that has

7 some apartment, one apartment, two apartments in

8 Brussels where is the -- the city where the central

9 European Union offices are and this and that. I said:

10 Yes. And? And he said: Listen, all these people, once

11 Romania becomes part of European Union, you're gonna

12 send a lot of people to work. It's a quota. It's not

13 that -- they are smart. It's by quota, by country.

14 Even if they are stupid, which we are not, we are smart

15 people, a quota will go to Brussels to work for the

16 European Union. And in Brussels they can rent

17 apartment. And he said: The European Union will pay,

18 and you can get very good rent. And not only that you

19 get the rent, it's rent to rent because it's paid by the

20 protection of the European Union. I said: Okay, now

21 you are talking. Start talking, and blah, blah, blah,

22 blah, blah.

23 So the end of it is that I bought four

24 apartments in Brussels. Two by two. Two in a building,

25 two in another building.

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1 Q. And you bought these apartments in the name of
2 what, Global --
3 A. Just Global Re, yes.
4 Q. And so did you buy that company, or is that a
5 company you started?
6 A. No, no, no. The company was existing.
7 Q. Was existing.
8 A. Yes.
9 Q. Okay. And so you bought four apartments through
10 the company?
11 A. I bought four apartments. The company was
12 theoretically the owner. I give the management to a
13 local management company, and, of course, the story with
14 the Romanians are gonna rent my apartments didn't work
15 out. So I had regular (inaudible) sale people, whatever
16 they are, to rent the apartment. So I was running the
17 same thing that I know what to do is rent.
18 Q. And was your investment or this -- through
19 Global Re, was that in your name or somebody else's?
20 A. I think at that time I was sophisticated enough,
21 it was mine. It was mine. I declared it with the IRS.
22 But if my name was in that, no, probably somebody else's
23 name.
24 Q. Who else's name do you think it would have been?
25 A. When I started to extern- -- ex- -- when I

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1 started to move my name totally out from all the
2 businesses, for outside companies, I choose three lawyer
3 companies -- I will explain later why I choose three --
4 and all my businesses in Romania and the -- and I think
5 even this Global Re were owned by these three outside
6 companies. Two of them were from London.
7 Basically they were lawyers' companies that for
8 a certain amount per year will hold your company. And
9 so were -- two from London and one from Geneva,
10 Switzerland.
11 Q. And --
12 A. Why I bought three, because even everybody and
13 my friend from Switzerland, which lived there forever,
14 from Romanian origin, he said: Hey, these people, they
15 don't do like this. Alex, you always think very bad
16 things. Said, yeah, but that's different.
17 I was afraid they gonna run away to -- they
18 gonna get -- run away with whatever was on that name.
19 So I guess every -- you want to buy this from Jurilovca,
20 you buy in three. That's the name. Okay.
21 Q. So you had -- wait, wait, wait. You had
22 something called a holding company. Is that --
23 A. Three holding companies.
24 Q. Three holding companies. And you had two from
25 London and one from Geneva, Switzerland.

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1 A. Correct.
2 Q. And what were the two holding companies from
3 London? Do you remember their names?
4 A. One is Mastertrade and one is I think Melwood &
5 Partners. Something like that.
6 Q. The first one is Mastertrade?
7 A. Master -- Mastertrade. Something like that.
8 Q. And what was the one in Geneva?
9 A. Cofigen, C-O-F-I-G-E-N, I think.
10 Q. And how did you find those holding companies?
11 A. My friend from Geneve -- I have three people
12 here that's gonna be mad with me.
13 Once you find a lawyer, you can find all the
14 lawyers that you need. So my friend from Geneve
15 repre- -- presented me to some guys that I talked with,
16 and I explained something, and the guy said: Ahh. I
17 said: Do I need to go to London? No, everything -- we
18 make everything here. But it's going to be three
19 different people? Yes. No problem. I said: Oh.
20 So actually I don't even know where the office
21 is in London. I never met these people. Everything
22 come signed, and everybody told me: Trust this. Okay.
23 Q. Who is your friend in Geneva?
24 A. It's a Romanian national that -- seven years --
25 so right now he's 70, and he left Romania when I was in

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1 high school.
2 Q. Okay. And does he have a name?
3 A. Cocimarov.
4 Q. Probably gonna have to spell that for us.
5 A. C --
6 Q. Sorry.
7 A. It's not even usual for Romania.
8 C-O-C-I-M-A-R-O-V. Sounds like Russian type of name,
9 but he is not Russian.
10 Q. And what did he do in Geneva? What was his --
11 did he have a job there? Was he a lawyer? What was he?
12 A. He worked for the United Nations. Some standard
13 electric, you know, wasting time, making money.
14 Q. I mean, do you know what he did for the United
15 Nations?
16 A. Big shot about how to make the planet beautiful.
17 How to make standard -- electrical standards worldwide
18 or some -- some bad words like this.
19 Q. I'm trying to figure out the --
20 And so you went through your friend, which I
21 won't be able to pronounce it, and then he introduced
22 you to these people that ran these holding companies.
23 A. Yeah. Geneve is like an asylum for old people.
24 It's this big (indicating.)
25 Q. Okay.

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1 A. At 6:00 p.m. there's nobody on the streets. I
2 said: My, it's like I feel like in the hospital.
3 Everybody knows everybody. So he said: What do you
4 need? I need this, to do this, to do apartments, this.
5 He said: Okay, tomorrow you go see this guy. Okay.
6 Q. So when you talked to these people at the
7 holding companies, what kind of questions were you
8 asking of them?
9 A. I asked him what's my problem as a Romanian
10 citizen to own property in Brussels? Let's talk about
11 this apartment. How much taxes? If I have to pay for
12 taxes. If I don't have to pay taxes, which way legally
13 I don't have to pay taxes? Is there a problem that I
14 come with the London company? Is the London company a
15 good company? Or maybe I should come with -- I don't
16 know what I -- stuff that I don't -- regular. I mean,
17 regular stuff.
18 Q. Okay. What about banking? Did you ask him
19 about anything banking requirements? Anything you
20 needed to do?
21 A. No. Because I don't think banking is -- I
22 didn't think I have to ask him anything.
23 Q. Why didn't you think you had to ask him anything
24 about banking?
25 A. Because what was to ask about -- like if you

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1 have banks or what? I don't understand -- I really
2 don't understand what you are asking.
3 Q. Okay. Did you have banks at this time?
4 A. In Romania?
5 Q. In Romania, yeah.
6 A. 2000, yes.
7 Q. What about in -- did you have banks in
8 Switzerland?
9 A. I guess they invented the bank system.
10 Q. Okay.
11 A. Switzerland. Yes, I have bank.
12 Q. Okay.
13 A. I have banks.
14 Q. And what bank at this time did you have in
15 Switzerland in this 2007 time frame?
16 A. It's Canadian something.
17 Q. Okay. And when you traveled to Switzerland, did
18 you travel with your U.S. passport, or did you travel
19 with a Romanian passport?
20 A. Everything at the border was -- at the border
21 with Romania was -- yeah, depends.
22 There are a lot of -- there are a lot of bad
23 things having dual citizenship, and one of them we are
24 participating right now. But there are good things.
25 If I want, I could travel -- I never did, but I

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1 could travel to Dubi with the Romanian passport. I
2 cannot travel with the American passport; they don't
3 like it. So stuff like that.
4 Going to Switzerland I will enter with the
5 American passport because no questions asked. But going
6 to Romania, of course, I enter with the Romanian
7 passport. Going to -- I went to Russia and Moldavia, I
8 went with the Romanian passport. Not with the --
9 Q. Okay. And when you set up these holding
10 companies, who would have drafted up the paperwork for
11 these companies, do you know?
12 MR. KATZ: Objection; mischaracterizes the
13 evidence.
14 THE WITNESS: I didn't even understand what we
15 are talking about.
16 BY MR. LINDER:
17 Q. All right. So let's just -- so you went and you
18 met with the three holding companies; is that --
19 A. As I -- as I just said five minutes ago, I never
20 met them. I met with the lawyer in Geneva, and I said,
21 "I would like to have this." And he said, "Yes."
22 Q. Okay.
23 A. And I said, "Do I need to go to them?" No. So
24 I --
25 Q. And --

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1 A. -- so I never met these people.
2 Q. Okay. You met a lawyer.
3 A. I met a lawyer.
4 Q. A lawyer in Geneva.
5 A. Right.
6 Q. All right. And it was these holding companies,
7 the two from London, one from Geneva, those are the ones
8 that held your ownership in Global Re.
9 A. Right.
10 Q. Now, in regards to the documents for these
11 holding companies, who would have drafted -- did someone
12 draft those documents for you?
13 A. From what I understood, those companies were
14 already formed.
15 Q. Okay.
16 A. This -- whatever the lawyer in London, the
17 lawyer holding company, which I never met, forms such a
18 company because one of the companies, I think -- I don't
19 know -- remember which one -- was like from
20 1980-something, which I wasn't even in the states. So
21 they formed the companies, and then they have a Bible,
22 Bibliograph -- how you call them? Like where you keep
23 the books. How is that called?
24 But they formed this and they filed them there.
25 And when somebody like me comes, they pick up and they

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1 Bank of America account?
2 A. No jokes, right? Being very serious.
3 MR. KATZ: No jokes.
4 THE WITNESS: Okay, so no jokes.
5 When we decided to come back here, I checked the
6 markets, because my family was in California, and my
7 wife's family, the mother and one of the brother and
8 blah, blah, blah, was in California. But California was
9 gone in 2011 from the business point of view, so we
10 decided to come to Texas. So we came to Texas.
11 But Sherry -- Sherry's mother was very sick.
12 Actually she died the next year, 2012. And Sherry
13 wanted to spend as much time with her mother as
14 possible. So that's why she opened an account in Bank
15 of America, California. And I did transfer her this
16 money not to spend all of it, which actually she didn't,
17 good for her, but I knew that is not good to keep too
18 much money because the federal insurance which is
19 250,000 or something. So I was trying to split as much
20 money into as many accounts.
21 BY MR. LINDER:
22 Q. So when you talk about federal insurance, I want
23 to make sure I'm understanding. What do you mean by the
24 federal insurance?
25 A. You see at every bank when you stand in line,

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1 you see this bank it's FF -- federal something. At one
2 point I -- FSLC insured. You see at every bank right
3 there next to the cashier. So I asked, "What's
4 insured?" And they said that the federal government
5 guarantees \$250,000 per account.
6 Q. Okay. And you were aware of this in 2000 --
7 A. I was aware of this since I make the first
8 250,000.
9 Q. When you say you make the first 250,000, when
10 was that?
11 A. No more jokes, okay. We're never gonna finish.
12 I was aware of this in general. I don't know
13 when I was aware. The first I think I made in 1994,
14 '95, somewhere like that --
15 Q. Okay.
16 A. -- In Romania, and they stayed in Romania.
17 Q. Okay. But you're talking about the federal
18 insurance, right? Insurance at federal banks; is that
19 correct?
20 A. Everything -- all this started is why I send
21 money to my wife, which basically, theoretically I
22 should not answer. All the husbands will understand why
23 I send money to my wife.
24 But I give you the answer, because she was in
25 California, and second, because I'm trying to not to

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1 keep all the money in one account. At least two or
2 three or whatever.
3 Q. And can you go to page -- this is DOJ 1714.
4 A. 1714.
5 Q. Uh-huh.
6 A. Okay.
7 Q. And I'm looking now there's an entry on here of
8 January 26, 2010. It's a payment -- looks like it's a
9 transfer to Christine Bittner. Do you see that?
10 A. There are many transactions.
11 Q. Okay. This is the one that's in the amount of
12 \$100,000.
13 A. Yeah.
14 Q. Okay. Do you see that?
15 A. Yeah.
16 Q. What are you transferring \$100,000 to your
17 daughter for?
18 A. In order for her to set up a party for me.
19 Q. Set up a what for you?
20 A. A party.
21 Q. A --
22 MR. KATZ: Party.
23 THE WITNESS: A party.
24 BY MR. LINDER:
25 Q. A party?

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1 A. A party.
2 Q. What kind of a party?
3 A. Her wedding party.
4 Q. So this is for her wedding party?
5 A. Yes.
6 Q. And when did your -- when did your daughter get
7 married?
8 A. In 2000 -- I don't remember.
9 Q. Do you remember the date when she got married?
10 A. No.
11 Q. Did you travel to the United States for her
12 wedding?
13 A. Of course.
14 Q. Did you consider this a gift to your daughter?
15 MR. KATZ: Objection.
16 THE WITNESS: I was waiting for that.
17 MR. KATZ: You can answer.
18 BY MR. LINDER:
19 Q. Yeah, you can answer.
20 A. It's a gift for myself.
21 Q. For yourself. But it's not going to you.
22 You're not giving yourself --
23 A. I'm enjoying it.
24 Q. Okay. You mean you transferred it to your
25 daughter; is that correct?

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1 wife. Look what she did here. It looks like, yes.
2 Q. I mean, did you have a credit card?
3 A. In Romania?
4 Q. Yeah, when you were living in Romania.
5 A. No. I hated those.
6 Q. Okay. Who had a credit card?
7 A. My wife.
8 Q. Okay. Anybody else have a credit card on this
9 account?
10 A. From my account, no. I hope not. Maybe my wife
11 was -- shit.
12 Q. And did you ever view -- obviously, did you ever
13 view these credit card statements?
14 A. No.
15 Q. But this is your -- how would you transfer cash
16 in and out of this account? Do you know?
17 A. If the credit card is issued from this bank and
18 she's using it at Neiman Marcus, Nordstrom, look at all
19 of this, I don't know, it's the VISA, whatever, and they
20 take it from the account. Cash, if it's -- the bank in
21 Bucharest, I go or I send somebody and say: Give me
22 cash.
23 It's a bank. It's not a bank on the internet
24 only. It's a bank with a building, with tellers and --
25 Q. Okay. So this is a bank --

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1 A. It's a real bank. Actually, it's a big German
2 bank.
3 Q. All right. But it's located in Romania?
4 A. Only -- I mean, the main business is in Germany
5 and the rest of European Union, but they did open in
6 2006 one of -- probably one of the first that came to --
7 no. No. Any way, they open a -- how you call it --
8 MS. RUBENSTEIN: A branch.
9 THE WITNESS: -- a branch.
10 BY MR. LINDER:
11 Q. And this is your account?
12 A. This? What I have? Exhibit 23?
13 Q. Uh-huh.
14 A. Yes.
15 Q. Okay. We'll mark this as 23.
16 In regards to Government Exhibit 23, do you know
17 when you would have opened that account?
18 A. No idea.
19 MR. LINDER: Okay. I'll hand you what's marked
20 as Government Exhibit 23 -- or 24.
21 (Exhibit 24 was marked.)
22 THE WITNESS: I want to make -- I want to make a
23 statement. All the answers that I say I have knowledge,
24 idea on something, anything that you want at a later
25 date I can either give you the paperwork or I give you

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1 the answer. I can give all the answer. I just don't
2 know off -- I don't have the answer at this point or
3 moment. 24.
4 Q. I'll hand you what's marked as Government
5 Exhibit 24. Do you recognize this bank or these bank
6 statements?
7 A. Yes.
8 Q. And this is a bank that's located where?
9 A. Liechtenstein.
10 Q. Okay.
11 THE REPORTER: I'm sorry, I didn't get that
12 answer.
13 THE WITNESS: Don't ask me to spell it.
14 Liechtenstein. Yeah, just take the last five letters
15 out. That's the spelling, Liechtenstein.
16 BY MR. LINDER:
17 Q. This is a bank that's located -- Government
18 Exhibit 24 is bank statements for a bank that's located
19 in Liechtenstein?
20 A. Yes.
21 Q. And did you open this account?
22 A. Yes.
23 Q. Why did you open an account in Liechtenstein?
24 A. I guess I opened this account for when I was
25 doing what I -- when I was doing the four apartments.

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1 Q. The four apartments?
2 A. The four apartments. No -- what's this? Okay.
3 Q. Do you know -- again, my question was: Do you
4 know what the purpose of this account was?
5 A. The general purpose would be not to have one
6 account and not to have one country and not to have one
7 bank. That's the general purpose. On this one, I think
8 it's connected; Liechtenstein being next door to
9 Brussels. I think it was connected with that.
10 Q. All right. And this is your account?
11 A. This is my account.
12 Q. And one thing -- do you know what a numbered
13 account is?
14 A. Yes.
15 Q. What is a numbered account?
16 A. A numbered account is an account where when a
17 journalist from Romania tried to find Bittner will not
18 be able to find Bittner.
19 Q. And why don't you -- so that's -- give me that
20 again. So you opened up a numbered account for what
21 reason?
22 A. To hide my name.
23 Q. Okay. And a numbered account is an account that
24 is just recognized by a number, not associated with a
25 person's name?

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1 A. Right.

2 Q. And why would you do that?

3 A. To hide my name.

4 Q. And did anyone recommend opening up numbered

5 accounts?

6 A. I thought about it.

7 Q. And how did you learn about numbered accounts?

8 A. My friend in -- my friend in Geneva told me.

9 Q. And I mean, how did he tell you? Did you go to

10 him and say: I want an account that no one can find?

11 How did that subject come up of a numbered account?

12 A. No. I had this problem when the press started

13 to jump on me. Bittner -- you have to understand that

14 Romania, even when it was under the kingdom of Romania,

15 they were -- they didn't do what Hungary did, which was

16 total destruction, but they were not very Jewish

17 friendly. So they did send a lot of Jews to Warsaw.

18 Not all of them.

19 Q. Okay.

20 A. But my name is very unusual in Romania.

21 Q. All right.

22 A. B-I-T-T-N-E-R sounds more like a German name,

23 but for sure it's not a Romanian name.

24 So when the press -- the bigger you get into

25 business, the more the press is on top of you to -- for

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1 them to do some business, to write something. They need

2 to write some bullshit in their newspapers.

3 So I was -- I felt like I'm hunting -- hunted.

4 That was number one. On that I don't really care too

5 much. But then I started to feel and see that let's say

6 I wanted to buy this property: Who wanted to buy the

7 property? Bittner. Oh, double the price. Okay, who

8 wanted to buy the property? This such and such company.

9 In Romania -- here is the break. In Romania you

10 can find out who's behind the company in three hours on

11 the internet, which is not the case in the United

12 States. So who wants to buy the property? Now we go

13 back. Who wants to buy? Such and such company.

14 Anybody could find out, oh, this is Bittner's company,

15 the price, three times the price. So I started not to

16 like it. So I decided, okay, I'm out from my companies,

17 I am out from my banks, I am out in general. I am out.

18 I don't exist any more.

19 Q. So did you open this account?

20 A. Yes.

21 Q. And so you chose to have a numbered account; is

22 that right?

23 A. Yes.

24 Q. Okay. What about -- what is -- when you retain

25 correspondence, do you know what that is?

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1 A. Yes.

2 Q. What is that?

3 A. I don't want the mail service in Romania, which

4 is corrupt, and the mail carrier, which brings the mail

5 to my house, to know that I do business with a bank in

6 Switzerland or in Liechtenstein.

7 Q. And did you travel to Liechtenstein to open this

8 account?

9 A. I guess so.

10 Q. Okay. How did you find this particular bank in

11 Liechtenstein?

12 A. Probably by the people -- this bank I opened

13 after I opened the bank in Switzerland. So probably I

14 asked the bank in Switzerland to -- to give me advice on

15 a good bank in -- somewhere else.

16 MR. KATZ: Could I ask --

17 MS. RUBENSTEIN: Can we go off the record for a

18 second?

19 MR. LINDER: Sure.

20 MR. KATZ: Could I ask a question?

21 MR. LINDER: A question? Yeah, when I'm done.

22 MS. RUBENSTEIN: On the record or off?

23 MR. KATZ: I think it will be helpful.

24 MR. LINDER: Sure, go ahead.

25 MR. KATZ: Is this bank account we're looking at

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1 in Liechtenstein -- is that a numbered account, or is

2 that in your name?

3 THE WITNESS: I don't know. It says

4 Mr. Alexandru Bittner, but maybe they say like this when

5 they write to me. I don't know. I don't know what

6 numbered account is supposed to --

7 MR. KATZ: Okay.

8 BY MR. LINDER:

9 Q. Okay. Turn over --

10 A. It has 3.14159182.

11 Q. What is that number you just gave me?

12 A. It's Pi number.

13 Q. Okay. Turn over to page DOJ 1866.

14 A. Pardon me? Page 1 --

15 Q. -866.

16 A. The number that I gave you before was a joke

17 that we made yesterday night because they -- we talk

18 about being --

19 Q. That's all right.

20 A. -- going to school. And I said: I am go to --

21 I am an engineer. You went to school? Yes. Okay, so

22 give me the Pi number. She said, 3.148. I said: No,

23 no. This is an infinite number. Give me the rest of

24 the number. She didn't know. Then it was the -- about

25 going to school means to know what you went to school

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1 for. Not anything else. Okay.
2 Q. All right.
3 A. 1866.
4 Q. Yep.
5 A. I am here.
6 Q. All right. I'm looking down at the entry it's
7 27.06. You see where it has fee for numbered accounts?
8 A. Yes.
9 Q. Do you see that?
10 And do you have more than one account in this
11 Liechtenstein bank?
12 A. No.
13 Q. No? Because you're being charged a fee for
14 having a numbered account, aren't you?
15 A. I don't think so.
16 Q. Well, is that what that entry says?
17 A. I never understood what the bank -- and
18 especially this bank.
19 Q. When did you get these documents, this
20 Government Exhibit 24? When did you get those?
21 A. When IRS asked me for them. At that moment I
22 went back to this bank, and I said: Please, please,
23 please give me whatever documents. Other than that, I
24 never wanted to see those documents.
25 Q. Did you go to the bank at that time and ask for

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1 the account opening documents for the bank?
2 A. I asked whatever they can give to me, to give to
3 me.
4 MR. LINDER: All right. Marked as Government's
5 Exhibit 25.
6 (Exhibit 25 was marked.)
7 MS. RUBENSTEIN: Thank you.
8 BY MR. LINDER:
9 Q. Okay.
10 A. Okay.
11 Q. Do you recognize these documents?
12 A. Yes.
13 Q. This is a document for what?
14 A. This is Royal Bank of Canada, is the bank in
15 Geneva.
16 Q. Okay.
17 A. The first of the main banks that I opened
18 outside of Romania.
19 Q. And do you remember when you opened this bank?
20 A. '99, 2000. Somewhere in there.
21 Q. Okay. And why did you open the bank -- why did
22 you open this bank in Switzerland?
23 A. I think I answered that two or three hours ago.
24 Because Romania not being -- doing the whole history,
25 but even like that, not being very -- with a very stable

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1 history, you don't like -- at least I didn't feel secure
2 to keep all the money in Romania -- or in Romanian bank.
3 Q. Okay. And did you open this account in your
4 name, or did you open this as a numbered account?
5 A. This is a numbered account, if I remember, but
6 on my name. Yeah, it says numbered account. Oh, and
7 this is, again, one that has U.S. dollars and euros.
8 Q. Okay. And this account -- this one is the bank
9 statement, Government Exhibit 25, this is an account --
10 this is in euros? Or which account is this?
11 A. USD. It's on the corner left up on top. The
12 account number, a bunch of numbers, dash, USD.
13 Q. So this is USD. This is dollars.
14 A. Right.
15 Q. All right. And --
16 A. Type of account: Ordinaire.
17 Q. And this account you're transferring -- I'm just
18 looking down at the first account. You have -- there's
19 an account entry of April 21, '04.
20 A. Yeah.
21 Q. And you're transferring, if I understand it
22 right, \$2,400,034.00?
23 A. No, I'm receiving.
24 Q. You're receiving.
25 A. Yes.

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1 Q. Okay.
2 A. Or I am -- I am -- no, I am paying, yeah.
3 Q. Okay. And who are you paying that money to?
4 A. Itshak Rasin.
5 Q. And who is that?
6 A. From Israel, Romanian origin, doesn't speak very
7 well Romanian because he's the son of the initial
8 family. Hugely rich family in Israel. Millionaires,
9 billionaires, whatever. And we did -- I did buy his
10 share in two hotels in Bucharest and his participation.
11 Q. So I just want to understand. So your
12 testimony: This is to buy an interest in two hotels
13 in Bucharest?
14 A. And the company that owns two hotels.
15 Q. And do you remember what company it was?
16 A. No. I don't remember the name. I know the
17 hotels.
18 Q. But --
19 A. Venetia. No, Venetia was my company. I don't
20 know.
21 Q. Okay.
22 A. Like before -- like I said before, any -- this
23 or any paper, I can prove it.
24 Q. So in 2000- -- but in 2004, the money you're
25 transferring to him, this two million --

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1 Q. And I'll --
2 A. Wait a minute. 3243. 33- or something --
3 Q. At the bottom right-hand corner, there's Bates
4 markings --
5 A. 4233.
6 Q. It should be -- so I want you to go to page
7 4234.
8 A. Okay.
9 Q. Okay? And I'll represent for the record that I
10 took that page and blew it up so you could read it,
11 which is the next -- and I want you to go to the next
12 page.
13 A. Oh, this? Oh, this is this. Okay.
14 Q. Yes.
15 A. Okay, I got it.
16 Q. For the record, I enlarged that page --
17 A. Okay.
18 Q. -- so we can read it.
19 A. Yes.
20 Q. And I just have a couple -- some questions here.
21 We have -- there's a -- we have a transfer to a Mr. Emil
22 Cobar. Is that your brother-in-law?
23 A. Yes.
24 Q. Why are you transferring 400,030- -- it looks
25 like -32 dollars to him?

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1 A. I don't know.
2 Q. You don't know what that's for?
3 A. No. But like I said, I will give you the
4 answer.
5 Q. Okay.
6 A. I need to double-check.
7 Q. You don't know why you'd be transferring
8 \$400,000.00 to him on that date in 2010.
9 A. No.
10 Q. Okay. Wow, this is hard to read. Excuse me.
11 And I want to look down to -- there's another
12 entry on -- it's 5/19/2010. And it's another transfer
13 to Emil Cobar. Do you see that in the amount of
14 400,033.00?
15 A. Where? First of all, this is -- this is off --
16 wait a second. Value is not the date.
17 Q. Okay.
18 A. Right above the date is the value. So this is
19 moved.
20 Q. All right.
21 A. On the original it's also -- do you see what I
22 mean? Where is the date? That -- above on the table is
23 value, which is not right.
24 Q. Okay.
25 A. Debit, credit back --

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1 Q. Okay. Well, at least if we agree that sometime
2 in April, the first entry is you're transferring
3 \$400,032.00 to Mr. Emil Cobar, your brother-in-law. Do
4 you agree with that?
5 A. Yes.
6 Q. And you don't know why you're transferring
7 \$400,000.00 to him.
8 A. No.
9 Q. Okay. Then let's go down -- maybe we can clear
10 this up. And then we have a date, and it has 5 -- I
11 want to say it's either 18 or 16.
12 MS. RUBENSTEIN: Let me check.
13 MR. LINDER: Or 18. It's hard to tell.
14 BY MR. LINDER:
15 Q. And we have another transfer, and it has a value
16 date of 5/20. And you have another transfer of
17 \$400,033 --
18 A. What do you mean 5/20?
19 Oh, 5/20. 20/5, okay.
20 Q. Do you see that?
21 A. Yeah.
22 Q. And you have another transfer of \$400,033.00 to
23 your brother-in-law, Emil Cobar.
24 A. Right.
25 Q. What is that for?

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1 A. I don't know.
2 Q. So you transferred -- in about a month or two
3 you transferred \$800,000.00 to your brother-in-law from
4 your RBC account?
5 A. Yeah. And in a very strange number, 400,032.00
6 and 400,033.00.
7 Q. Okay. And you transferred approximately -- at
8 least \$800,000.00 to your brother-in-law in 2010, and
9 you don't know why?
10 A. Yes, I don't know why.
11 Q. Okay.
12 A. I don't remember. I know why, but probably I
13 need to remember.
14 Q. Well, when you say you know why, what is the
15 reason why?
16 A. I don't know. I don't know.
17 Q. Okay. I just --
18 A. Do we keep --
19 MR. KATZ: Yes.
20 THE WITNESS: Do we get to keep --
21 MR. KATZ: I got one.
22 THE WITNESS: Okay, I need this page.
23 BY MR. LINDER:
24 Q. Let's talk about -- you moved back from Romania
25 when? When did you officially move back from Romania?

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1 MR. KATZ: Object to the form of the question.
 2 MR. LINDER: All right.
 3 BY MR. LINDER:
 4 Q. Mr. Bittner, did you move back from Romania to
 5 the United States?
 6 MR. KATZ: Objection; asked and answered.
 7 THE WITNESS: I do answer, right?
 8 MR. KATZ: Yes.
 9 MS. RUBENSTEIN: Go ahead, you can answer.
 10 THE WITNESS: During 2011 I went and come back
 11 and went and come back. 2012 I went and come back.
 12 November 2012 I came, and I didn't go back to Romania.
 13 So that's -- that should be the move to state.
 14 MR. KATZ: What year?
 15 THE WITNESS: '11.
 16 MR. KATZ: '11.
 17 THE WITNESS: Yeah. Yeah, I make a mistake.
 18 '11. '11.
 19 BY MR. LINDER:
 20 Q. Just to make sure, so you moved -- your
 21 testimony is that you moved back permanently to the
 22 United States from Romania in November of 2011?
 23 A. Yes. And I have the furni- -- I have the
 24 invoice from the furniture being moved from Romania to
 25 here.

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1 Q. Okay. And why did you move back?
 2 A. So, I did tell you we only have one kid. The
 3 kid was -- it's a very good kid, very professional.
 4 I -- so I push her to be very good in school and very
 5 good in everything she does. Actually, one of the ideas
 6 that I had this account in Switzerland because my
 7 daughter did high school in Switzerland, next to
 8 Geneve -- in Geneve, on the outskirts of Geneve.
 9 Any way, under the same idea that my friend,
 10 this guy that live in Geneve, will oversee what she does
 11 over there. And from my account he will pay for dentist
 12 or whatever was necessary for my daughter.
 13 Q. Okay. So originally when we were talking you
 14 said you sent your daughter to a school that was
 15 supervised by the US Embassy --
 16 A. You asked me why I decided to move back here.
 17 Q. Okay. You got to let me finish.
 18 A. Sorry, sorry, sorry.
 19 Q. No, it's all right. I'm not -- I'm just trying
 20 to recap so I understand.
 21 So earlier in your testimony you said your
 22 daughter went to a school that was supervised by the US
 23 Embassy in Romania, correct? And I just want to
 24 understand: So your daughter also went to a school
 25 in -- a high school in Switzerland?

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1 A. High school. She went from Kindergarten -- we
 2 were talking about Kindergarten, which is the age that
 3 we came to Romania. She went to a Kindergarten school
 4 over -- so by the United States Embassy and then went
 5 school one to eighth to a school in Bucharest overseen
 6 by embassy, by American Embassy, and then she did
 7 internet, whatever she does, and she got accepted at
 8 Le Rosey, it's called, next to -- what's the name in
 9 Switzerland?
 10 MS. RUBENSTEIN: Geneve.
 11 THE WITNESS: Geneve. Next to Geneve, a very
 12 exclusive high school --
 13 BY MR. LINDER:
 14 Q. Okay.
 15 A. -- for girls. Actually, they have the girls
 16 here, and very far away they have for boys.
 17 Q. So --
 18 A. And then -- and then from there I visit --
 19 that's some explanation for the accounts being there and
 20 whatever. And then she applied and she got admitted to
 21 John Hopkins in Baltimore where she met the husband that
 22 she has today. And somewhere, after the wedding, of
 23 course, she told me that she decided that -- they
 24 decided that she will never come back to live in
 25 Romania. I said: You have so much. We have this and

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1 we have that, blah, blah, blah. No, dad, it's not --
 2 Romania is not for me. We're gonna stay in the states.
 3 Okay. I said, Okay.
 4 And then comes the very famous saying: If the
 5 mountain will not come to Mohammed, Mohammed will go to
 6 the mountain. So I came to the mountain.
 7 Q. So you moved back from Romania in November of
 8 2011.
 9 A. I did.
 10 Q. And when you moved back -- describe to me some
 11 of the first things you did when you came back to the
 12 states.
 13 A. I did a lot of things before I came back to the
 14 states.
 15 Q. Okay. Can you walk me through some of those?
 16 A. I did on internet -- I started, because like I
 17 said before, what I know is real estate, building,
 18 managing, selling, whatever.
 19 So first of all, I checked California. At the
 20 moment you have to understand that my daughter was in
 21 Baltimore where she finished John Hopkins, and then the
 22 first job was somewhere around there, Washington or
 23 something.
 24 So first I checked California. Well, my sister
 25 and my wife's family was there. And California was dead

<p style="text-align: right;">Page 185</p> <p>1 according to doing business investments or anything.</p> <p>2 Then I found something in Chicago interesting,</p> <p>3 but then I found out that the district that I was</p> <p>4 looking at, where the rent was very good, but you go</p> <p>5 with the car to pick up the rent and you come outside</p> <p>6 walking, without the car, and -- it's a joke, but it's</p> <p>7 true. It's true.</p> <p>8 And then I found out that Texas is the new mega.</p> <p>9 Is the new -- I double-check a lot. I learn a lot about</p> <p>10 Texas. Then I came here in 2011 for the first time I</p> <p>11 stepped foot in Texas.</p> <p>12 Q. Okay.</p> <p>13 A. Even when I was living in California, I never</p> <p>14 visited Texas.</p> <p>15 Q. All right. And you learned all this real estate</p> <p>16 and you learned about Texas and the real estate here</p> <p>17 how? How did you do that?</p> <p>18 A. Not taxes. I didn't say taxes.</p> <p>19 Q. I said "Texas."</p> <p>20 A. Texas.</p> <p>21 Q. Right.</p> <p>22 A. Texas. Good. Looking -- looking for</p> <p>23 investments --</p> <p>24 MR. LINDER: Sorry. Off the record.</p> <p>25 (Off the record.)</p>	<p style="text-align: right;">Page 187</p> <p>1 All kinds of things that you find on the internet free.</p> <p>2 But very important was how much you pay for the</p> <p>3 property, how big is the property, how many bedrooms,</p> <p>4 how many bathrooms. How much they ask, how many -- how</p> <p>5 many cars for the garage and so on. What is the market</p> <p>6 and how much can you get for it. And what's the return</p> <p>7 on the investment.</p> <p>8 Q. Okay.</p> <p>9 A. And on that, Texas won. So that's why I came to</p> <p>10 Texas.</p> <p>11 Q. And when did you start doing that research?</p> <p>12 A. Right after -- I don't know exactly exactly, but</p> <p>13 I presume right after I was notified that nobody will</p> <p>14 come back to visit me in Romania, so I had to move to</p> <p>15 the states.</p> <p>16 Q. So 2010, 2000- --</p> <p>17 A. 2010, right -- right after the wedding. After</p> <p>18 the wedding. Not right after.</p> <p>19 Q. And so when you were doing this real estate --</p> <p>20 so when you came here, you purchased some properties in</p> <p>21 2011, didn't you?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And did purchase any properties through</p> <p>24 HUD? Do you know what HUD is?</p> <p>25 A. I know what HUD is.</p>
<p style="text-align: right;">Page 186</p> <p>1 MR. LINDER: Let's go back on the record and let</p> <p>2 me get the question straight.</p> <p>3 BY MR. LINDER:</p> <p>4 Q. So, you were talking about studying on the</p> <p>5 internet, and you said you were doing some research on</p> <p>6 real estate. Would --</p> <p>7 A. Right.</p> <p>8 Q. -- that a fair statement of what you told me?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. My question is: What did you do -- what</p> <p>11 were you looking at to study about real estate and in</p> <p>12 particular these different states, California, Chicago,</p> <p>13 Texas? What were you looking at?</p> <p>14 A. First of all, being -- having my own plumbing</p> <p>15 company--I had it for the last year or something when I</p> <p>16 was in California--and doing work as a plumber, I know</p> <p>17 to stay away from apartments really because there is a</p> <p>18 lot of trouble with them.</p> <p>19 So I was looking for single family residential,</p> <p>20 single family investing. So I was looking how much you</p> <p>21 pay for the property, how beautiful the property is</p> <p>22 because beauty, even if it's -- cannot count it as</p> <p>23 money, it's a part of the buyer or the seller's mind.</p> <p>24 What's the future of California. What is the future of</p> <p>25 Texas. What are the -- how many people per square mile.</p>	<p style="text-align: right;">Page 188</p> <p>1 Q. Okay.</p> <p>2 A. But it -- I considered at the time, and I'm</p> <p>3 still considering, that it's too complicated, too</p> <p>4 bureaucratic. Too bureaucratic. Maybe I should check</p> <p>5 it again.</p> <p>6 Q. But did you buy some properties through HUD?</p> <p>7 A. I don't think so.</p> <p>8 Q. You don't think so?</p> <p>9 A. Any way, I didn't deal with any bureaucracy. If</p> <p>10 somebody, a private person sold me a house which was</p> <p>11 from HUD, I don't -- I don't know and I don't care.</p> <p>12 MR. LINDER: Okay. Marked as Government</p> <p>13 Exhibit 28.</p> <p>14 (Exhibit 28 was marked.)</p> <p>15 BY MR. LINDER:</p> <p>16 Q. Do you recognize this document?</p> <p>17 A. Yes. I know the property.</p> <p>18 Q. Okay. And is this a property you purchased?</p> <p>19 A. Yes.</p> <p>20 Q. And, just for the record, looking at the last</p> <p>21 page of this Document, 2916, is that your signature?</p> <p>22 A. Yes.</p> <p>23 Q. And how did you find -- and you bought this</p> <p>24 property?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 197</p> <p>1 properties?</p> <p>2 A. Why do you say "accounts"? Account. I opened a</p> <p>3 bank account for me and my wife.</p> <p>4 Q. Okay.</p> <p>5 A. She opened another one because California, even</p> <p>6 if it's the same bank, it's different in California.</p> <p>7 That's it.</p> <p>8 Q. So you opened up one account at Bank of America.</p> <p>9 A. Right.</p> <p>10 Q. Okay. And then you came here and you started</p> <p>11 looking for properties; is that right?</p> <p>12 A. Right.</p> <p>13 Q. Okay. And then at one point you hired</p> <p>14 Mr. Beckley, is that correct, the accountant?</p> <p>15 A. During 2011 when I was -- I opened the accounts,</p> <p>16 I did this and I was buying all these houses, I don't</p> <p>17 know from where, but somehow during the real estate</p> <p>18 transaction which is with the agent, you have to talk</p> <p>19 this, that, and it's especially the -- how do you call</p> <p>20 that? The company that is closing, the --</p> <p>21 Q. The title.</p> <p>22 A. The title company which usually they have</p> <p>23 lawyers in their -- in the closing or something, somehow</p> <p>24 a discussion started about taxes. I don't know how.</p> <p>25 And I told them that I live -- or how I make the money,</p>	<p style="text-align: right;">Page 199</p> <p>1 So I said, "Okay, that means he knows what he's doing,"</p> <p>2 which was not the case.</p> <p>3 Q. Let's back up. So you -- in that long answer</p> <p>4 you had, you said you looked at a document signed by the</p> <p>5 president. What do you mean by that?</p> <p>6 A. The treaty signed by Mr. Nixon --</p> <p>7 Q. Okay.</p> <p>8 A. -- the treaty with Romania.</p> <p>9 Q. The treaty with Romania. And when did you look</p> <p>10 at the treaty with Romania?</p> <p>11 A. Before -- when I -- after I knew that I had to</p> <p>12 have to come to -- that my daughter will not come to</p> <p>13 Romania, after 2010 when she said, "I'm not coming to</p> <p>14 Romania." And me and my wife decided: Okay, we have to</p> <p>15 move to United States. I said, "Okay, let me check."</p> <p>16 And I saw that document that to my reading it's</p> <p>17 perfect, I don't need to pay taxes.</p> <p>18 Q. Okay. So --</p> <p>19 A. And if you want, I can explain the logic, and</p> <p>20 you will find my logic is a hundred percent true, and</p> <p>21 it's the grammar of the English language which you guys</p> <p>22 use it a different way, but not what I was taught in</p> <p>23 school.</p> <p>24 Q. So sometime in 2010 when you were contemplating</p> <p>25 moving back because your daughter wouldn't come to</p>
<p style="text-align: right;">Page 198</p> <p>1 where I was coming from, my time in Europe, I live there</p> <p>2 20 years, something like this, and then we came to</p> <p>3 taxes, and I said, "Oh, I didn't pay taxes because I</p> <p>4 live in Europe." And they look at me funny. I didn't</p> <p>5 understand at that moment why. And they say, "Are you</p> <p>6 sure that you don't have to pay taxes to them?" "Very</p> <p>7 sure. I have -- we have a document signed by the</p> <p>8 president. Oh, gee."</p> <p>9 And then I got worried, and I started to ask,</p> <p>10 and I ask left and right, and I discovered like almost</p> <p>11 to the end of 2011 that it looks like I have to pay</p> <p>12 taxes --</p> <p>13 Q. So --</p> <p>14 A. -- or do something.</p> <p>15 Q. All right.</p> <p>16 A. And then it's -- when Beckley came this, Beckley</p> <p>17 came, as you can see his address, he's very close to</p> <p>18 where I used -- I live. He had this on internet, that</p> <p>19 he knows my kind of problems living abroad, making money</p> <p>20 abroad and coming this, and he was a neighbor, and he</p> <p>21 was all this, belonged to our association of whatever</p> <p>22 and this and that and that and that.</p> <p>23 Q. All right.</p> <p>24 A. And he was a neighbor, he was close, so I hired</p> <p>25 him. And I went and I looked, and he had nice offices.</p>	<p style="text-align: right;">Page 200</p> <p>1 Europe -- come to Romania --</p> <p>2 A. Right.</p> <p>3 Q. -- you looked up the treaty between the United</p> <p>4 States and Romania.</p> <p>5 A. Right.</p> <p>6 Q. And you looked up the tax treaty.</p> <p>7 A. Right.</p> <p>8 Q. And how did you find that tax treaty?</p> <p>9 A. I don't know.</p> <p>10 Q. I mean, did you --</p> <p>11 A. Right now you can type it and you find it. It's</p> <p>12 on the -- who gave it to me, I don't know.</p> <p>13 Q. Did you ask -- I'm going to try to figure it</p> <p>14 out.</p> <p>15 Did you look for it on the internet?</p> <p>16 A. As I said, if I was looking on internet, it</p> <p>17 wasn't me. It was my secretary.</p> <p>18 Q. Okay.</p> <p>19 A. I don't know how I put the hand on it.</p> <p>20 Q. All right.</p> <p>21 A. And I always don't like to get on the computer.</p> <p>22 So if I find something, I tell my secretary print it and</p> <p>23 let me read it on paper.</p> <p>24 Q. So what prompted you to consider looking at the</p> <p>25 tax treaty between Romania and the United States?</p>

<p style="text-align: right;">Page 201</p> <p>1 A. I don't know. Going back -- living in Romania 2 and going back to United States. 3 Q. Okay. How did you find out that there was a tax 4 treaty between the United States and Romania? 5 A. I don't know. I don't know. Somebody probably 6 told me or something. 7 Q. So -- 8 A. In Romania when I said: Hey, guys, you know 9 what, I'm leaving, I have 200 friends. Most of them 10 very rich. I said: Hey, I have to move back to the 11 states, blah, blah, blah. Hey, let's drink, let's go. 12 But somewhere somehow somebody said: Hey, watch 13 out, or watch the treaty and you know you have the 14 treaty, and -- I don't know how. 15 Q. But when you moved to -- when moved from the 16 United States to Romania, you didn't check or inquire 17 about any tax treaties at that time? 18 A. No. I paid taxes in Romania. 19 Q. Okay. But you paid taxes -- your testimony is 20 that you paid taxes -- 21 A. And I paid taxes in the states for the business 22 that I do -- I did in the states. 23 Q. Okay. But my question is: When you moved to 24 Romania from the United States, you didn't check any 25 taxes -- you didn't think it was important to check for</p>	<p style="text-align: right;">Page 203</p> <p>1 three, he was close by. Not -- 2 Q. And he was advertising. Where did you see his 3 advertisements? 4 A. On the net. 5 Q. On the internet. 6 A. Yes, sir. 7 MR. LINDER: Okay. And then I have some 8 documents. Let me verify what you gave. This is 30. 9 (Exhibit 30 was marked.) 10 BY MR. LINDER: 11 Q. I'll hand you what's marked as Government 12 Exhibit 30. 13 A. Yes. 14 Q. Do you recognize this document? 15 A. Yes. 16 Q. What is this? 17 A. When I went to Mr. Beckley, then we talk about 18 having to file or not file or having to pay or not pay 19 and we talked about the treaty. And I explained to him 20 my English grammar, about the difference between "may" 21 and "should not." "Should not" is stronger than "may" 22 in my view. 23 Then he started to ask me different questions. 24 I told him, "Hey, all my paperwork, I didn't bring any 25 paperwork for what I did in my life. It's in Romania,</p>
<p style="text-align: right;">Page 202</p> <p>1 any tax treaties between the United States and Romania 2 at that time? 3 MR. KATZ: Object to the form of the question. 4 You can answer, if you can answer. 5 THE WITNESS: Oh. No. 6 BY MR. LINDER: 7 Q. Why not? 8 A. I don't know. Probably is I didn't -- I didn't 9 make any money at the time. 10 Q. So before you met with Mr. Beckley, you had 11 actually looked at the tax treaty between the United 12 States and Romania; is that right? 13 A. Right. 14 Q. Okay. And then you found Mr. Beckley and -- 15 MR. LINDER: Can we take a break? 16 MS. RUBENSTEIN: Yes. 17 (Pause in proceedings.) 18 MR. LINDER: We can go back on the record. 19 BY MR. LINDER: 20 Q. So I just want to get back to Mr. Beckley. 21 So you found Mr. Beckley how? 22 A. Once again, on internet. 23 Q. On the internet. Okay. 24 A. And because he was advertising what I needed. 25 He was in a way selling what I needed. And number</p>	<p style="text-align: right;">Page 204</p> <p>1 so tell me exactly what you need so we can file and be 2 done with it." 3 And, actually, and I was -- in a way, I have to 4 say this, to be fair, I was pressing him to do it fast. 5 In my head I had -- I think I started losing in end of 6 December or January 2012. In my head was that we 7 have -- I have to file before April 15th, to be done 8 filing so IRS -- I will file first before IRS will catch 9 me and put me in jail because I didn't file. 10 So I was pushing him, "Hey, let's file, let's 11 file," pushing him to move and give me more attention 12 than to other clients. That's why I didn't negotiate 13 with him. Whatever money he said, I paid. 14 Q. All right. I just want to clarify: Is this 15 your handwriting? 16 A. On top of it, yes. 17 Q. And this handwriting, this is what, your -- 18 A. So basically he asked me questions. I send 19 the -- I talk on -- on Skype. Over the computer, I 20 talked to Romania on Skype. I tell them: I need this, 21 I need this, I need this, I need this. And they -- so I 22 need the bank -- whatever you see here. 23 And they made all this from different -- this is 24 where they gathered the paperwork as they send me this, 25 and I gave it to Beckley, and Beckley said, "Hey, I</p>

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1 A. Strungaru is an -- he's an accountant. Actually
 2 finished academy of economic studies. But he came --
 3 and, actually, he's a -- he was with me in high school,
 4 so we know each other from high school. But he came to
 5 my company in I think 2006, '07. He was not with my
 6 company -- my companies from the very beginning. He
 7 came later. But I -- and I put him upfront because he
 8 speaks very good English.
 9 Q. Okay.
 10 A. So later when we had to -- when we prepared all
 11 these mountains of documents that nobody look at them,
 12 the accountant from here -- from this city, was asking
 13 me something, and I said, "Listen, guys, it doesn't
 14 work. How about Mr. Strungaru and I arrange a three-way
 15 meeting when we can see each other on the computer
 16 there?" I don't know how. They met each other, and
 17 after that I was informed they were talking.
 18 Q. Okay.
 19 A. So they talked to each other.
 20 Q. Okay. Now, you said Mr. Strungaru started
 21 working for you in 2006 and 2007.
 22 A. Right.
 23 Q. And he started working for you in what capacity?
 24 A. One of the persons that I trust in the main
 25 building.

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1 Q. Okay.
 2 A. Overseeing not any particular company.
 3 Overseeing account -- overseeing the accountants,
 4 looking here, looking there. I don't know.
 5 Q. He would oversee the accountants?
 6 A. He would double-check on the accountants.
 7 Q. Okay. And do you know if he was trained in
 8 Romanian tax law?
 9 A. We don't have such a -- such a job denomination,
 10 tax law, Romanian tax law.
 11 Q. Okay. My question was: Do you know if he was
 12 trained in that -- to your knowledge, does Mr. Strungaru
 13 have any understanding of Romanian tax law?
 14 A. All the accountants in Romania have to know the
 15 Romanian tax law.
 16 Q. Okay.
 17 A. And none of the accountants in Romania know the
 18 Romanian taxes -- the tax law.
 19 Q. Okay. And did you ask Mr. Strungaru when he was
 20 working for you about any kind of U.S. tax law, the U.S.
 21 tax obligations?
 22 A. No.
 23 Q. Why not?
 24 A. Why should I?
 25 Q. Okay. You didn't think it was important?

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1 A. He's a Romanian.
 2 Q. Okay. What about when you were living in
 3 Romania, did you ask any -- did you go seek any kind of
 4 tax professionals or help there regarding what may your
 5 tax obligations be in the United States when you were in
 6 Romania?
 7 A. Would you -- I didn't catch it.
 8 Q. Okay.
 9 A. Little bit slower.
 10 Q. I'm sorry, I probably asked that a little fast.
 11 So when you were living in Romania --
 12 A. Yes.
 13 Q. -- when you were back from 1990 to 2011, did you
 14 talk to anyone or ask anyone about federal taxes, U.S.
 15 federal taxes?
 16 A. Why? We're in Romania --
 17 Q. Okay.
 18 MR. KATZ: Please answer --
 19 THE WITNESS: No, no, no. I give more than
 20 answer.
 21 BY MR. LINDER:
 22 Q. Okay.
 23 A. In Romania at that time there is money on the
 24 streets. Every minute that you spend talking I don't
 25 know about what else, you lose some money. Everybody is

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1 concentrated: What we gonna do tomorrow with that
 2 building, with that piece of land. Why talk about
 3 something else? Why talk about the -- no --
 4 Q. Okay.
 5 A. -- I didn't talk.
 6 Q. And when you were in Romania during that time
 7 frame, did you ever talk to anyone, any attorneys,
 8 accountants or anyone about any kind of -- filing any
 9 type of banking reports, foreign bank account reports?
 10 A. I didn't know about foreign bank accounts until
 11 Beckley told me.
 12 Q. Okay.
 13 A. And even that, he did it wrong.
 14 MR. LINDER: All right. Government Exhibit 31.
 15 (Exhibit 31 was marked.)
 16 BY MR. LINDER:
 17 Q. I've handed you what's marked as Government
 18 Exhibit 31. Do you recognize --
 19 A. Yes. It's my writing.
 20 Q. Okay.
 21 A. The numbers, the table was produced by the two
 22 people that I mentioned before, the people in Romania.
 23 What we have here, it looks to me it's a -- it's an
 24 extract of any things that -- of everything that Beckley
 25 wanted because it has the real estate business, which

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1 some of them, especially in the earlier years, I would
2 do on personal name. It has shares, companies, so it's
3 income from dividends. So income from real estate on
4 personal name. Income from companies that I own or I
5 owned shares. Then there is information here for --
6 from bank and other income, which I don't remember what
7 it is. But -- okay. So, yes.
8 Q. And this is information you got from Romania?
9 A. I got from Romania and I wrote translation for
10 Mr. Beckley.
11 Q. And so you didn't create this chart, did you?
12 A. No.
13 Q. So this was created --
14 A. I don't know how to create a chart even today.
15 Q. Okay. And I just want to -- I don't know what
16 you got on there. I just want to double-check. So I
17 want to look at -- if you look at DOJ, it's 2752 of
18 Exhibit 31.
19 A. All right.
20 Q. Do you know if this is something that came from
21 your people in Romania, or is this something that
22 Mr. Beckley did? I'm not sure --
23 A. My people in Romania, they will not do such a
24 stupid thing.
25 Q. Okay.

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1 A. So I presume it's Beckley.
2 Q. But all the --
3 A. And the way -- and the letters on the hundred
4 isn't -- is not the way a Romanian would write. But I
5 don't know, basically.
6 Q. Okay. And I just --
7 A. But this page is '93 to 2000.
8 Q. Can you go back to Government Exhibit 30. This
9 has the accounts --
10 A. Yes.
11 Q. -- and I just want to -- so you have Banca
12 Agricola --
13 A. Which number?
14 Q. Number 1.
15 A. Banca Agricola.
16 Q. Thank you.
17 A. It's called -- it's an agricultural bank, a
18 communist bank.
19 Q. Okay.
20 A. Former communist.
21 Q. All right. That was -- and that's located in --
22 A. In Bucharest.
23 Q. Okay. And the second one is which bank?
24 A. Raiffeisen. Number 3 is Raiffeisen that we
25 talked before.

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1 Q. Okay. And then look at number 9. It's on the
2 second page.
3 A. We talk about this bank.
4 Q. That's the UniCredit -- those are the accounts
5 we were looking at?
6 A. Yeah. See -- and yeah, you see the numbers are
7 the same, only the last two digits differ for the
8 Romanian currency, U.S. dollar, and euro. But whatever,
9 doesn't matter. Yeah, we talk about it.
10 These three accounts being basically one
11 account.
12 Q. But it's possible in those three accounts, you
13 have -- you could have money -- different amounts of
14 money in all three accounts; is that correct?
15 A. Yes. And for sure different denominations,
16 Romanian lei, dollars, euro.
17 MR. LINDER: All right. This should be 32.
18 THE WITNESS: The last one was 31.
19 (Exhibit 32 was marked.)
20 BY MR. LINDER:
21 Q. I've handed you what's marked as Government
22 Exhibit 32. Is this your handwriting?
23 A. Yes.
24 Q. All of it on this first page?
25 A. No. As you can see -- I mean, anybody can see,

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1 this here is not my handwriting.
2 Q. Okay. To the right.
3 A. To the right, right under where I go to last
4 version and I put in rectangle, right under it there are
5 three lines 3/30/2001. You can see writing the date
6 like this, for sure it's an American, right? And then
7 two more lines, need tax paid, question mark, need stock
8 quotes, no question mark. Those three lines are not my
9 writing. Everything else is.
10 Q. And is this a document you created or had
11 created?
12 A. It's a document that was created in Romania at
13 Beckley request and at my request and at Beckley request
14 for documents and my request to them: Please send me
15 the documents as soon as possible.
16 Q. Okay. What does -- I'm looking at the column 5.
17 What does that --
18 A. (Speaks in foreign language.) Translation is
19 "other income."
20 Q. Other income.
21 A. I don't -- I translated different business
22 expense. No. It's other -- really professional
23 translation is other income. Not -- word to word, other
24 income.
25 Q. And then the next one, for the B&C, I'm guessing

<p style="text-align: right;">Page 237</p> <p>1 Q. This document was provided to the IRS. Did you</p> <p>2 review this document prior to it being transmitted to</p> <p>3 the IRS?</p> <p>4 A. I guess so, yes.</p> <p>5 Q. Okay. And I'm just trying to go down -- I'm</p> <p>6 trying to figure out, looking down at -- it says here,</p> <p>7 you have a comment here, you had no awareness at the</p> <p>8 time -- I'm looking at the fourth paragraph. It says</p> <p>9 you had no awareness --</p> <p>10 A. While living in Romania.</p> <p>11 Q. Yeah.</p> <p>12 A. Yeah.</p> <p>13 Q. So the information in this document you would</p> <p>14 have provided to your attorneys?</p> <p>15 A. The information of this document?</p> <p>16 Q. Uh-huh.</p> <p>17 A. Was what?</p> <p>18 Q. Okay. This document is not signed. Who would</p> <p>19 have provided your attorneys or whoever drafted this</p> <p>20 document with this information?</p> <p>21 A. Probably somebody from Strasburger under --</p> <p>22 after talking with me.</p> <p>23 Q. Okay. Who would have provided Strasburger with</p> <p>24 this information?</p> <p>25 A. Me.</p>	<p style="text-align: right;">Page 239</p> <p>1 Q. My question is: Did you ask your accountant</p> <p>2 about --</p> <p>3 A. No.</p> <p>4 Q. -- filing United States tax returns?</p> <p>5 MR. KATZ: Object to the form of the question;</p> <p>6 making assumptions.</p> <p>7 BY MR. LINDER:</p> <p>8 Q. So my question is -- you have this statement.</p> <p>9 And my question is: Did you ask your accountants, the</p> <p>10 accountants you're referring to in this paragraph, about</p> <p>11 filing tax returns in the United States?</p> <p>12 MR. KATZ: Object to the question for the form</p> <p>13 and for the assumption which is directly contrary to his</p> <p>14 immediate testimony. He said he didn't have</p> <p>15 accountants.</p> <p>16 MR. LINDER: I don't think -- please, Mr. Katz.</p> <p>17 Please don't testify for the witness. I'll ask the</p> <p>18 questions and the witness can testify.</p> <p>19 MR. KATZ: Okay.</p> <p>20 MR. LINDER: If you have an objection, state</p> <p>21 your objection, and don't use that to signal, please.</p> <p>22 MR. KATZ: It's part of my --</p> <p>23 MR. LINDER: No.</p> <p>24 MR. KATZ: I'm not signaling. It's part of my</p> <p>25 objection.</p>
<p style="text-align: right;">Page 238</p> <p>1 Q. Okay. And I'm just looking at the statement</p> <p>2 that -- it says -- in that fourth paragraph, it says,</p> <p>3 "He," which I guess this is referring to you.</p> <p>4 Would that be a fair statement that it's</p> <p>5 referring to you, Mr. Bittner?</p> <p>6 A. "He had no awareness during that time that he</p> <p>7 was obligated to file United States tax returns" --</p> <p>8 Yes, that is me, and that's exactly what I feel</p> <p>9 at that time.</p> <p>10 Q. Okay. And then you say: Nor did your</p> <p>11 accountants inform him of the fact.</p> <p>12 A. Okay.</p> <p>13 Q. Did you ask your accountants about filing</p> <p>14 taxes -- about filing United States taxes?</p> <p>15 A. If I didn't have any -- okay. This is just we</p> <p>16 are playing a game, a word game.</p> <p>17 I did not have any personal accountants.</p> <p>18 Accountants in Romania, they don't know Romanian</p> <p>19 accounting, let alone tax accounting of the United</p> <p>20 States. This is --</p> <p>21 Q. Okay. But this is your statement to the IRS.</p> <p>22 A. Yes.</p> <p>23 Q. And you have this statement here your</p> <p>24 accountants didn't inform you of the tax returns.</p> <p>25 A. Yes?</p>	<p style="text-align: right;">Page 240</p> <p>1 BY MR. LINDER:</p> <p>2 Q. Okay. You referred to accountants in this</p> <p>3 sentence, "Nor did his accountants inform him of that</p> <p>4 fact."</p> <p>5 My question is: Regarding the accountants that</p> <p>6 are referred to here, did you ask any of your</p> <p>7 accountants about filing U.S. federal income tax</p> <p>8 returns?</p> <p>9 A. No.</p> <p>10 Q. Okay. And in regards to the accountants that</p> <p>11 are referred to in this paragraph, did you talk to any</p> <p>12 of your accountants about any kind of filing of foreign</p> <p>13 bank account reports?</p> <p>14 A. No.</p> <p>15 Q. Did you talk to any of the accountants that</p> <p>16 would be referred to in this paragraph about any of your</p> <p>17 tax obligations in the United States?</p> <p>18 A. No.</p> <p>19 Q. Okay. The next sentence, we have you severed --</p> <p>20 it says: Mr. Bittner had severed his connections with</p> <p>21 the United States and reasonably believed he had no</p> <p>22 further tax obligations.</p> <p>23 Do you see that sentence? It's in the same</p> <p>24 paragraph I just read.</p> <p>25 A. Yeah, I see it.</p>

<p>Page 241</p> <p>1 Q. Okay. So it says here you severed your 2 connections in the United States. What do you mean by 3 that?</p> <p>4 A. I don't mean anything. Let's read, "Nor did his 5 accountants inform him of that fact. Mr. Bittner had 6 severed his connections with the United States and 7 reasonably believed he had no further United States tax 8 obligations." Okay. Now, what is the question?</p> <p>9 Q. Okay. My question is -- the statement here is 10 you severed your connections with the United States. 11 And my question to you is: What do you mean by this 12 sentence? What connections did you sever?</p> <p>13 A. Business connections.</p> <p>14 Q. Any other connections?</p> <p>15 A. None that I think of. Business. I don't do 16 business in United States; I think I don't have to pay 17 taxes.</p> <p>18 Q. Okay. And going on, you talk about -- the next 19 sentence is you're unaware that the United States, 20 unlike most countries, including Romania, tax its 21 citizens on their worldwide income.</p> <p>22 Do you know if Romania taxes its citizens on 23 worldwide income?</p> <p>24 A. No, they don't.</p> <p>25 Q. They don't? And how do you know that?</p>	<p>Page 243</p> <p>1 taxing jurisdiction of the United States differed from 2 other foreign countries that tax earnings only in 3 jurisdiction where the income is generated. Do you see 4 that statement?</p> <p>5 A. Hold on one second.</p> <p>6 Q. Yep. I'm going fast, I know.</p> <p>7 A. "During all that time, he was never contacted by 8 the embassy about any tax return due. He had no reason 9 to believe that the tax jurisdiction of the United 10 States differed from other foreign countries that tax 11 earnings only in the jurisdiction where the income was 12 generated. He has no US source income." Yes.</p> <p>13 Q. All right. My question is: You said -- what 14 foreign countries are you referring to in that sentence 15 that differed from the United States?</p> <p>16 A. How about the rest of the world?</p> <p>17 Q. So you looked at all the world's tax laws --</p> <p>18 A. No. It's a general knowledge. I don't need to 19 read something.</p> <p>20 Q. General knowledge. Where did you get your 21 general knowledge regarding --</p> <p>22 A. Talking in the bars.</p> <p>23 Q. Talking in bars?</p> <p>24 A. Yes, at night.</p> <p>25 Q. Okay. Did you ever talk to any kind -- did you</p>
<p>Page 242</p> <p>1 A. Because when I was in Romania and I was making 2 business in the United States, nobody asked me.</p> <p>3 Q. Okay. But I mean, did you actually go and look 4 at the Romanian tax laws --</p> <p>5 A. No.</p> <p>6 Q. -- to see if they taxed income -- you have to 7 let me finish.</p> <p>8 Did you actually go and look at any kind of 9 Romanian tax laws to see if they taxed worldwide income?</p> <p>10 A. No.</p> <p>11 Q. Okay.</p> <p>12 A. If your question is if me personally I couldn't 13 sleep nighttime and I had -- I wake up in the morning to 14 go read something about taxes in the United States or 15 Romania, Romania against the United States and United 16 States against Romania, no, I didn't do that.</p> <p>17 Q. All right.</p> <p>18 A. And nobody does that.</p> <p>19 Q. All right. Did you go -- did you go ask any of 20 the accountants that are referred to in this 21 statement -- did you go ask them about Romanian tax law 22 on worldwide income?</p> <p>23 A. No.</p> <p>24 Q. Okay. And then down here -- there's this 25 last -- it says: You have no reason to believe that the</p>	<p>Page 244</p> <p>1 ever talk to any kind of accountants regarding the tax 2 laws in both jurisdictions?</p> <p>3 MR. KATZ: Objection; asked and answered. 4 Go ahead and answer.</p> <p>5 MR. LINDER: You can answer.</p> <p>6 MR. KATZ: No jokes. Answer the question.</p> <p>7 THE WITNESS: No jokes?</p> <p>8 MR. KATZ: No jokes. Answer the question.</p> <p>9 THE WITNESS: I don't know if the guy next to me 10 was an accountant or not.</p> <p>11 BY MR. LINDER:</p> <p>12 Q. My question: You don't know if you went and 13 talked to any accountant when you were in Romania or 14 anywhere else about the tax laws of other foreign 15 countries, did you?</p> <p>16 A. The subject came into the discussion. To know 17 that this guy is an accountant and to go to him to talk 18 purposely about it, no, no.</p> <p>19 Q. Okay. What about any type of attorneys in 20 Romania or any other country, did you ever go talk to 21 any attorneys about the tax laws of foreign countries?</p> <p>22 A. Me going to ask advice or me complaining or 23 me -- something like this, no.</p> <p>24 Q. Okay.</p> <p>25 A. Big black table and the subject comes around or</p>

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1 question.

2 **THE WITNESS:** "Up to about 2000, I had some US

3 source income from an S corporation. I was issued a K-1

4 and I filed returns reporting that income and paying any

5 tax which I understood was my obligation under" -- "tax

6 law."

7 You are asking me if I have this K-1 from before

8 2000 -- the year 2000?

9 BY MR. LINDER:

10 Q. Do you have the K-1?

11 A. No.

12 Q. Okay. What about the -- any copies of the

13 returns that you would file?

14 A. Before 2000?

15 Q. Yes.

16 A. No.

17 Q. Okay. Who would have prepared -- did you

18 prepare those returns that you're referring to in this

19 paragraph?

20 A. No.

21 Q. Who would have prepared those for you?

22 A. I don't know. Probably my sister or somebody

23 that was hired by my sister.

24 Q. Okay. Who would have signed -- did you sign

25 those returns?

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1 A. Probably, yes.

2 Q. So they would have had to send those returns to

3 you in Romania?

4 A. Right.

5 Q. And then you would have signed them and sent

6 them back; would that be correct?

7 A. Right.

8 MR. LINDER: Can we take about five minutes.

9 MS. RUBENSTEIN: Absolutely.

10 (Recess taken.)

11 MR. LINDER: What I'm handing you is marked as

12 Government Exhibit 40.

13 (Exhibit 40 was marked.)

14 MS. RUBENSTEIN: Yes, 39 was the second.

15 MR. KATZ: All right.

16 BY MR. LINDER:

17 Q. And I've handed you what's marked as Government

18 Exhibit 40. I want you to turn to the second page.

19 Is that your signature, Mr. Bittner?

20 A. Yes.

21 Q. Would you recognize your wife's signature if --

22 A. Yes.

23 Q. -- you saw it?

24 A. Excuse me.

25 Q. To the best of your knowledge, is that your

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1 wife's signature?

2 A. Yes.

3 Q. And is the attachment to this -- would that be

4 the attachment you're referring to in this document?

5 A. I have one question for Mr. Katz here. Is this

6 the -- is this what we ask IRS and they didn't even

7 answer? Is this the --

8 MR. KATZ: Go ahead and answer the --

9 MR. LINDER: Let's go back to my questions.

10 MR. KATZ: Go ahead and answer.

11 **THE WITNESS:** I want to make a juicy answer if

12 it's something they didn't -- didn't answer and I'm nice

13 and I answer to the government.

14 MR. KATZ: No jokes. No juicy answers.

15 BY MR. LINDER:

16 Q. So we verify your signatures, and above your --

17 where it says "under penalty of perjury" -- do you see

18 that on the second page of this document?

19 A. Yes.

20 Q. And you have -- it says, "see attached

21 statement."

22 A. Yes.

23 Q. Okay. And what I want to -- my question is: Is

24 the statement that's attached -- is that the statement

25 you're referring to in this document?

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1 A. You mean the first two pages that I signed? Or

2 the last two pages?

3 Q. The last two pages of the attached statement.

4 A. Very fast reading.

5 Q. Read away. I want --

6 A. Yeah.

7 Q. -- to make sure we got this right.

8 A. Yeah. And it comes the grammar to the rescue,

9 on the last bottom page.

10 Yes.

11 Q. Okay. And when you got this document, did you

12 read this statement before signing?

13 A. You mean the first two pages?

14 Q. Yeah. Did you read the attachment, that

15 statement before you signed it?

16 A. This, the first two pages?

17 Q. Yes.

18 A. I guess so. Yes.

19 MR. LINDER: Okay. All right. Mr. Bittner, I

20 hand you what's marked as Government Exhibit 41.

21 (Exhibit 41 was marked.)

22 MR. LINDER: And go off the record real quick.

23 (Discussion off the record.)

24 MR. LINDER: All right. Let's go back on the

25 record. And I apologize for that.

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1 THE REPORTER: I believe so.
2 (Exhibit 43 was marked.)
3 BY MR. LINDER:
4 Q. I'll hand you what's marked as Government
5 Exhibit 43.
6 And, Mr. Bittner, we spent a lot of time going
7 over some of your companies today. And this is just --
8 I'll represent this is a page out of an IRS document
9 that just references some of the companies that you kind
10 of vested in, and I just want you to verify that you
11 owned or operated the companies that were listed here.
12 MR. KATZ: Object to the form of the question.
13 MR. LINDER: Okay.
14 MR. KATZ: Specifically the "owned."
15 MR. LINDER: All right.
16 BY MR. LINDER:
17 Q. Mr. Bittner, actually, look at Government
18 Exhibit 43. In particular, I'm asking you to just take
19 a minute and look at -- it's really the listing here, 1
20 through 38 and continued on to the next page.
21 Do you recognize these companies that are listed
22 here?
23 A. Yes.
24 Q. Okay. And without going through each company,
25 are these companies that you would have had an ownership

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1 interest in?
2 A. Yes.
3 Q. Okay. And in regards to these companies 1
4 through 38, we talked at length on some of them, but are
5 any of these companies -- did you operate any of these
6 companies?
7 A. What do you mean "operate"?
8 Q. Did you run them? Did you run the day-to-day
9 operations?
10 A. I never run any day-to-day operation of any of
11 my companies.
12 Q. Okay. And so you would hire people to operate
13 the companies?
14 A. Yeah. Either hire them or they were smaller
15 investors.
16 Q. Okay.
17 A. Or they were getting a salary or being part of
18 the business.
19 Q. Let's see. Prior to moving back to the states,
20 where did you live in Romania?
21 A. In the center of Bucharest.
22 Q. Okay. Can you give me the address?
23 A. Yeah. Cobalcescu, No. 41.
24 Q. Okay.
25 A. I think I gave it to you before. In Bucharest.

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1 The capitol city.
2 Q. Okay. And when you moved back, did you sell
3 that?
4 A. No. Actually, I bought that when I move. That
5 was a government building, confiscated from -- by the
6 communists. I was born in that -- it was an apartment
7 building but very -- Soviets, looks -- looks Soviets by
8 communists conduct. That means you had a few homes.
9 And I was born there. I lived all my life
10 there. I left there. When I came back, my father and
11 my mother were there. I moved with them. My father
12 passed away. Meanwhile, you could buy this apartment.
13 The government will sell to the tenant. So I bought for
14 my mother the apartment, and I refurbish it.
15 Then, you know, funny things happen. Then
16 somebody else that learned what I was doing at the
17 beginning bought the building from the former owner and
18 came back to me and say they know it's me. This
19 (inaudible) my mother didn't buy in good standard. So
20 basically they wanted to scoot her out.
21 So I couldn't go. When it's good for me, I go
22 this way. But when it's bad for me, I go the other way.
23 So I had to be to my standard, so I paid the apartment
24 again, same number.
25 Q. Okay. And do you still own this apartment

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1 building today?
2 A. After my mother passed away and I knew I'm gonna
3 move back to the states, I left it, and it was sold when
4 I was in the states.
5 Q. Okay. And --
6 A. But I paid twice. Is anybody understand what I
7 mean? The funny stuff that happens in life?
8 MR. KATZ: Yes.
9 BY MR. LINDER:
10 Q. So how many -- so how many times did you --
11 approximately did you travel back from -- when you left
12 the United States, how many times did you travel back,
13 approximately, do you know?
14 A. In the '90s -- in the '90s, '90 and '91, like
15 every two, three months, you know, come because the
16 family was here. Once the family moved to the -- back
17 to -- moved to Romania, my wife was coming almost every
18 year or for sure every second year to touch base with
19 her mother because Chinese daughter -- mother/daughter
20 are very inseparable. And I -- probably I come three or
21 four times.
22 I come when I turned fifty. So I turn fifty
23 in -- fifty-seven plus fifty -- 2007 I came and I had a
24 big all-around American tour.
25 Q. And in 2007 did you go to Vegas? Las Vegas?

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1 A. Yes, and I lost 50,000, and I got arrested
 2 because I wanted to beat up the manager of the resort.
 3 Q. So when you lost 50,000, so -- so did you bring
 4 into the states \$50,000 in cash with you?
 5 A. No. Because that was illegal, and I don't do
 6 illegal things.
 7 Q. So how did you have --
 8 A. I don't know.
 9 Q. -- \$50,000?
 10 A. I talk to my -- to my brother-in-law -- I talked
 11 to my brother-in-law, and I said, "Listen, I'm gonna
 12 come, I'm fifty, for Vegas for sure at least, and then
 13 please prepare for me cash, 50,000" -- actually 40,000
 14 because 10,000 -- or more than 10,000, we came legally.
 15 Under 10,000 when you go through the customs.
 16 Q. So you understand when you come in and out --
 17 when you come into the United States or out, you have to
 18 declare -- if you're holding more than \$10,000 --
 19 A. You have to declare it.
 20 Q. -- you have to declare that. Okay.
 21 And so when you came over for Vegas, did you
 22 send your brother-in-law \$50,000 or he had it there for
 23 you?
 24 A. He had it there from different dealings, which I
 25 don't know. But he's Jewish, too; he didn't give me any

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1 present. So if he gave me the money, he counted it
 2 somewhere.
 3 Q. Okay. So let's move on.
 4 Explain to me what the -- do you know what the
 5 Napoleonic legal code is?
 6 A. Yes.
 7 Q. What is that?
 8 A. There are two major codes.
 9 Q. Okay.
 10 A. Law codes. It's the Anglo-Saxon code which we
 11 use here, and it's this piece of trash which was in -- I
 12 hope it was not invented by Napoleon, which is a
 13 Napoleon legal code. Which is very complicated, but all
 14 Europe is using it except -- and in Great Britain, it's
 15 somewhere in between.
 16 All what I'm explaining now, I'm explaining
 17 because I like history. Not because I know the tax
 18 laws, by the way.
 19 Q. So how did you -- when did you find out -- how
 20 did you come to find out about the Napoleonic legal
 21 code?
 22 A. I know about Andradite. I don't know when I
 23 find out about Andradite, but I can send you the code.
 24 And if you go on Google Earth, you will see at the
 25 bottom of the ocean unbelievable things. Google Earth

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1 from realtime.
 2 I don't know, I read a lot. I study a lot,
 3 things that are of interest to me.
 4 Q. Okay. So to finish up, the United States, or
 5 the IRS, has asserted FBAR penalties against you for
 6 failing to report -- or file reports regarding all your
 7 foreign accounts. You understand that?
 8 A. Yes.
 9 Q. Okay. So explain to me -- if you can explain to
 10 me, provide me --
 11 A. How I feel.
 12 MR. KATZ: No, no, no.
 13 MS. RUBENSTEIN: Let him finish.
 14 MR. KATZ: Ask the question.
 15 BY MR. LINDER:
 16 Q. Explain to me --
 17 A. Sure.
 18 Q. -- why -- provide me all the reasons why you
 19 shouldn't be held liable for the penalties that are
 20 asserted against you in this case regarding the FBARs.
 21 A. My words.
 22 Q. Yeah. I want to know the facts. I want to know
 23 why you shouldn't be held liable for that.
 24 A. Those are not facts. They're just my thoughts
 25 which I develop right now as you ask me.

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1 I didn't do any harm to United States by not
 2 reporting something. I was an idiot. You know when you
 3 are an idiot, that's not -- that's not something that
 4 you are supposed to let -- be let go. I didn't know the
 5 law. That's not supposed to be let go.
 6 I jaywalk. Okay, I made a mistake. Okay, give
 7 me a ticket. Okay? See, it's different. I don't say
 8 let me go. Give me a ticket. What these people want to
 9 do, they want to hang me. Hey, I jaywalk. Yeah, you
 10 jaywalk. So give me a ticket. No, no, we gonna hang
 11 you.
 12 That is not right. I made a mistake; give me a
 13 ticket. Educate me, something that I will remember in
 14 the future not to do the same thing and that I will talk
 15 with all my friends: Hey, don't jaywalk; you're gonna
 16 get a ticket.
 17 But not hanging me. Why? Because I don't want
 18 to start but -- I don't want to start that because --
 19 but I have a lot of because documented. Any way,
 20 doesn't matter.
 21 Q. So I heard you said no harm to the government.
 22 I just want to make sure I got this. And then you
 23 said--these are your words--that you're an idiot.
 24 A. Yes. I -- I didn't know, I didn't care to learn
 25 about the law, I didn't think to think about something

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1 that I didn't think.
 2 Q. Okay.
 3 A. That was a heavy one for you.
 4 Q. And I understand your jaywalk story. But so
 5 harm, you didn't know about the law, as you described
 6 it. I won't say the word again. And what else? What
 7 other reasons? Why shouldn't you be liable? I'm trying
 8 to figure out why you shouldn't -- why you think you
 9 shouldn't be liable.
 10 A. No harm, not important. Actually, if it was
 11 like a balance, why everybody looking at my side of the
 12 balance? Why nobody's looking here? The government
 13 should have done what I explained with the -- and not
 14 only on the FBAR.
 15 It would save a lot of private people like me a
 16 lot of money, which I'm not the only person once they go
 17 and work in England or Germany for ten years, they
 18 think -- and pay taxes to Germany, they think that they
 19 don't owe anything.
 20 When I started all this, the internet, and I
 21 started to check on internet, all this, this is by -- by
 22 detention. I went to ten doctors about the -- what you
 23 see white here. The last one -- the dermatologist, the
 24 last one told me, "Do you have any kind of problems?"
 25 He said, "You got problems?" I said, "Are you joking?"

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1 I said, "Yes." "Okay, until you finish your problems,
 2 this will not" -- I finish my problem and it went away.
 3 The scars are still here. Seven years of my life on
 4 this shit. That is punishment. That -- if on top of
 5 everything I have to be punished, that is punishment.
 6 Okay, I am not in the jail, but I cannot sleep at night.
 7 I get this all over my head. That is punishment enough,
 8 I guess, seven years. I mean, if I go and beat somebody
 9 on the street, I get a year, maybe, or two years.
 10 Q. Okay. And I just -- listening to you. So you
 11 think -- what do you think the government should have
 12 done? I'm trying to figure out what you think the
 13 government should have done.
 14 A. You mean the government that you represent now
 15 on FBAR case, or the government in general on the IRS?
 16 Which standard?
 17 Q. The United States. What do you think the
 18 government should have done, the United States,
 19 regarding your move to Romania?
 20 A. Move to Romania and us coming back and making
 21 the mistake? First of all, they should have better
 22 agents in IRS. Second, rule number 2, the rules in that
 23 IRS manual should not be: The agent may use it or may
 24 not use it because that opens the door, the agent
 25 usually will may not use it -- will not use it. So

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1 don't issue that manual at all, if the agent may not use
 2 it. Because the agent doesn't use it. Why doesn't use
 3 it? Because I catch -- I spoil her weekend with a male
 4 colleague coming to Dallas to interrogate me without
 5 asking me first: Hey, are you available?
 6 We found out this from Freedom of Information
 7 laws. The guy was a different -- he actually -- he was
 8 the lawyer. He did not have the money. She run away
 9 all over IRS to get the money for him to come to Dallas.
 10 They set up the hotels (inaudible.) Then they ask me,
 11 "Oh, call her." I said, "No." "Oh." So very nice
 12 weekend this entire (inaudible.)
 13 And then she took -- from that point, then she
 14 sent 19 years to full collection. I made a mistake with
 15 that idiot Beckley. We filed 19 years. Okay, mistake.
 16 She sent to collection all 19 years. And now she -- I
 17 understand that she plays: Oh, I didn't know, I don't
 18 know, I am small, I don't know anything. She is not
 19 small. She's evil.
 20 She used her -- her position as a federal agent
 21 to play games with other people life, my life in this
 22 case. I'm very bla.
 23 Q. Okay. So I'm not talking about -- I'm talking
 24 about -- not the kind of -- I'm not talking about when
 25 you came back to the states. I'm talking about why

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1 shouldn't you be liable for not filing these reports
 2 when you're in Romania, and not filing your tax returns
 3 in Romania.
 4 So you're -- the conduct you're describing is
 5 you're unhappy with the examination.
 6 So I'm asking: What obligation does the
 7 government have to you when you were living in Romania?
 8 Do you understand the question?
 9 A. I understand the question, what gov- -- and I
 10 am -- I presume or I hope that the government will take
 11 care of me; the Russians will come to Romania. So I
 12 understand that. And I understand that I have to pay
 13 taxes. And I didn't run away from paying taxes, and I
 14 paid taxes when I thought that the taxes are due in
 15 2000- -- or 1996 or '07. Whenever I had that
 16 corporation. I just didn't know I had to pay taxes
 17 then. Then I came back, okay, I have to pay taxes.
 18 Yes, I pay taxes. But not like this. Not what she
 19 wants. She wanted to collect 19 years. She wanted
 20 to -- she sent to collections. But she was stupid; she
 21 didn't know the law, how to file the right way.
 22 Otherwise, I would have been good to go to sleep on the
 23 street, according with her wishes. Not like that.
 24 And even today, I feel all the same thing, I
 25 made a mistake. I jaywalk. Where is the ticket? I pay

<p>Page 269</p> <p>1 the ticket. But not hang me. I will never sit quietly</p> <p>2 to be hanged.</p> <p>3 MR. LINDER: Okay. I've got no further</p> <p>4 questions.</p> <p>5 MR. KATZ: I want to take a -- you want to pass</p> <p>6 the witness?</p> <p>7 MR. LINDER: I will pass the witness.</p> <p>8 MR. KATZ: I want to take a three-minute break,</p> <p>9 and then we'll come back.</p> <p>10 MR. LINDER: Okay.</p> <p>11 (Recess taken.)</p> <p>12 EXAMINATION</p> <p>13 BY MR. KATZ:</p> <p>14 Q. Mr. Bittner, have you looked again at</p> <p>15 Exhibits 36 and 37?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know what those are?</p> <p>18 A. I understand what is written in there.</p> <p>19 Q. What are those, just in general?</p> <p>20 A. Letters to the -- in front of some papers that</p> <p>21 Beckley did -- sent to IRS that's on my name.</p> <p>22 Q. Do you know who wrote those letters?</p> <p>23 A. I didn't write them. I presume Beckley did.</p> <p>24 Q. Okay.</p> <p>25 A. I don't know how to write. This and --</p>	<p>Page 271</p> <p>1 account in Romania and everything about Romania. After</p> <p>2 this is another paper with all the business, the</p> <p>3 businesses, the this and that. A lot of other things.</p> <p>4 Q. So you obtained that information for Beckley</p> <p>5 based on what you understood he was asking.</p> <p>6 A. Right.</p> <p>7 Q. Let me show you Exhibit 35. And I believe you</p> <p>8 said before that these are the FBARs that Beckley</p> <p>9 prepared. Would you take a look at those?</p> <p>10 A. I cannot swear that this is what he prepared.</p> <p>11 But if it's one for each account, that's what he</p> <p>12 prepared.</p> <p>13 Q. Why is there one account --</p> <p>14 A. That's what he -- that's what he explained to</p> <p>15 me.</p> <p>16 Q. Okay.</p> <p>17 A. Once again I want to say that it's not that</p> <p>18 Beckley found anything and it's not that IRS found</p> <p>19 anything. Every single piece of paper that I've been</p> <p>20 fighting with the IRS for the last seven years and every</p> <p>21 single piece of paper that is on this piece of paper, I</p> <p>22 provide. IRS didn't find anything.</p> <p>23 They asked me, and I provided as much as I could</p> <p>24 in order to be legal finally.</p> <p>25 Q. Now, in this Exhibit 35 --</p>
<p>Page 270</p> <p>1 Q. I'd like to --</p> <p>2 A. -- both of them the same -- they say basically</p> <p>3 the same thing. Only in one is I move to Romania in</p> <p>4 1990 and in one is I moved to America in 1991. So this</p> <p>5 is a lie.</p> <p>6 But I explained how the moving was. I moved</p> <p>7 1990, but then the family moved I don't know when. So</p> <p>8 Beckley didn't take care of me very well.</p> <p>9 Q. Okay.</p> <p>10 A. Put me to -- like two different dates for two</p> <p>11 different things -- for the same thing, basically, I</p> <p>12 guess.</p> <p>13 Q. Thank you. I'm going to show you Exhibit 30 and</p> <p>14 ask you to take a look at that.</p> <p>15 A. Yes.</p> <p>16 Q. And do you remember what that is?</p> <p>17 A. It's something that was generated by -- by the</p> <p>18 people in Romania.</p> <p>19 Q. It appears to be a list of bank accounts?</p> <p>20 A. Yes.</p> <p>21 Q. Which bank accounts?</p> <p>22 A. The bank accounts that -- the bank accounts in</p> <p>23 Romania that Beckley asked me for.</p> <p>24 Q. Are those --</p> <p>25 A. Beckley asked me to give the banks of -- my bank</p>	<p>Page 272</p> <p>1 A. Yes.</p> <p>2 Q. -- 35, do you see your signature on any of</p> <p>3 those?</p> <p>4 A. No.</p> <p>5 Q. And --</p> <p>6 A. But this is my writing.</p> <p>7 Q. Okay.</p> <p>8 A. Probably I signed the general form or something.</p> <p>9 Q. Now, you were asked a question -- a number of</p> <p>10 questions about when you were living in Romania why</p> <p>11 didn't you go ask people about --</p> <p>12 A. I --</p> <p>13 Q. -- let me finish the question, please -- about</p> <p>14 your tax obligations in the U.S., about whether you had</p> <p>15 to file forms, whether you had to file bank account</p> <p>16 forms. And do you recall what your answer was?</p> <p>17 A. To whom?</p> <p>18 Q. To Mr. Linder. Why you --</p> <p>19 A. I don't understand. But I don't know exactly</p> <p>20 what I said, which is registered somewhere, but let me</p> <p>21 re-answer about the general meaning -- the general</p> <p>22 meaning would be the same.</p> <p>23 Why spend my time and ask somebody in Romania</p> <p>24 about: Did that -- that Beckley look like somebody that</p> <p>25 knows the tax law? And he's an executive in tax law in</p>

<p style="text-align: right;">Page 273</p> <p>1 America, and he doesn't know anything about the tax law.</p> <p>2 Why should I waste my breath to ask somebody in Romania</p> <p>3 about the American tax law, the longest tax --</p> <p>4 Q. When you lived --</p> <p>5 A. -- the longest law on the planet. I don't know</p> <p>6 if you guys know that. I found it on the internet. The</p> <p>7 biggest law on the planet is the tax law of United</p> <p>8 States.</p> <p>9 Q. When you lived in Romania, did you have any</p> <p>10 awareness of whether you were supposed to file returns</p> <p>11 in the U.S.?</p> <p>12 A. No. I was feeling very happy and very --</p> <p>13 feeling good about myself that I was doing everything</p> <p>14 like I am supposed to.</p> <p>15 Q. Did you know you were supposed to report U.S. --</p> <p>16 I'm sorry.</p> <p>17 Did you know that you were supposed to file</p> <p>18 returns reporting your worldwide income in the U.S.?</p> <p>19 A. No.</p> <p>20 Q. When did you first hear about the form FBAR?</p> <p>21 A. From Beckley towards the end of his filing</p> <p>22 because at the beginning he only asked me questions and</p> <p>23 filled the returns, regular tax returns. He came with</p> <p>24 FBAR the last two weeks: Ha, FBAR, FBAR. Like now that</p> <p>25 I remember, his posture at that time, he's like he just</p>	<p style="text-align: right;">Page 275</p> <p>1 Q. Did you withhold anything from him</p> <p>2 intentionally?</p> <p>3 A. Not -- not -- whatever he asked, he got usually</p> <p>4 in 24 hours.</p> <p>5 Q. What about Mr. Booker?</p> <p>6 A. Same thing.</p> <p>7 Q. How much --</p> <p>8 A. With Booker, even better. I just let him talk</p> <p>9 to Romania. The guy that speak English is Eugen, and I</p> <p>10 told Eugen in three, "With Booker, Eugen, whatever this</p> <p>11 guy ask -- Mr. Beckley ask, you give to Mr. Booker."</p> <p>12 Q. Was Booker supplied with everything he asked?</p> <p>13 A. Yes.</p> <p>14 Q. Did you intentionally withhold anything?</p> <p>15 A. No.</p> <p>16 Q. What did all of this cost you to get all these</p> <p>17 returns prepared by Booker?</p> <p>18 A. Booker by itself? How about you? You cost me a</p> <p>19 lot more than Booker.</p> <p>20 Q. Let's talk about Booker.</p> <p>21 MR. LINDER: No --</p> <p>22 MS. RUBENSTEIN: He can go ahead.</p> <p>23 THE WITNESS: Booker, I think way over 100,000.</p> <p>24 BY MR. KATZ:</p> <p>25 Q. And what about me?</p>
<p style="text-align: right;">Page 274</p> <p>1 found out in the last two weeks with me dealing with him</p> <p>2 about the FBAR, and then he told me to file on -- I</p> <p>3 understood. He didn't say file only one. I understood</p> <p>4 that I have to file the biggest account, personal</p> <p>5 account that I had for that year on one bank. Not every</p> <p>6 single bank that I had in Romania.</p> <p>7 And, actually, he did not say anything about</p> <p>8 other bank. The way he -- the way I got it from him --</p> <p>9 not the way he explained to me -- is what I understood</p> <p>10 is that the business produced money in Romania. The</p> <p>11 business for Romania paid me money in my own account.</p> <p>12 On which account I had the most money in Romania coming</p> <p>13 from businesses or from transaction. So this is the</p> <p>14 bank, the account for this year, the biggest bank</p> <p>15 account transaction for the account in Romania. So I</p> <p>16 didn't put the foreign banks' account because I didn't</p> <p>17 do business with the foreign banks. I didn't receive</p> <p>18 income.</p> <p>19 Q. Did Mr. Beckley ever tell you that you might</p> <p>20 have to file FBARs for companies you had an ownership</p> <p>21 interest in?</p> <p>22 A. No.</p> <p>23 Q. Did you supply everything to Mr. Beckley that he</p> <p>24 asked you to supply?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 276</p> <p>1 A. You are way over a million at this time.</p> <p>2 Q. Okay. Do you know what portion --</p> <p>3 A. Way over.</p> <p>4 Q. Do you know what portion --</p> <p>5 A. With all the discount. He give me a discount.</p> <p>6 MS. RUBENSTEIN: It has been seven years.</p> <p>7 THE WITNESS: Yeah.</p> <p>8 BY MR. KATZ:</p> <p>9 Q. Do you know what was attributable to preparing,</p> <p>10 reviewing returns, and supplying information?</p> <p>11 A. I presume that the golden years, 2016, '14, and</p> <p>12 '15, were the years when I lost whatever hair I used to</p> <p>13 have and I got these scars. Those were the most</p> <p>14 intensive years. And last year was very intensive, but</p> <p>15 last year because of the -- preparing for the tax code.</p> <p>16 Q. How about the --</p> <p>17 A. Other than that, was regular, you know, 30,000</p> <p>18 per month, 50,000 per month.</p> <p>19 Q. How about the --</p> <p>20 A. Regular month.</p> <p>21 Q. How about the people in Romania, how much time</p> <p>22 did they spend on responding, on getting information to</p> <p>23 Booker?</p> <p>24 A. To Booker.</p> <p>25 MS. RUBENSTEIN: And us.</p>

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1 I, ALEXANDRU BITTNER, have read the foregoing
 2 deposition and hereby affix my signature that same is
 3 true and correct, except as noted above.
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 ALEXANDRU BITTNER

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1 contains any changes and the reasons therefor;
 2 _____ was not requested by the deponent or a party
 3 before the completion of the deposition.
 4 I further certify that I am neither attorney nor
 5 counsel for, related to, nor employed by any of the
 6 parties to the action in which this testimony was taken.
 7 Further, I am not a relative or employee of any
 8 attorney of record in this cause, nor do I have a
 9 financial interest in the action.
 10 Subscribed and sworn to on this the 2nd
 11 day of March, 2020.
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1 IN THE UNITED STATES DISTRICT COURT FOR THE
 2 EASTERN DISTRICT OF TEXAS
 3 SHERMAN DIVISION
 4
 5 UNITED STATES OF AMERICA,
 6
 7 Plaintiff,
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 9 V. Case No. 4:19-cv-00415
 10
 11 ALEXANDRU BITTNER,
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 13 Defendant.
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REPORTER'S CERTIFICATION
 ORAL DEPOSITION OF
 ALEXANDRU BITTNER
 FEBRUARY 12, 2020

14 I, MARLEEN CAMPBELL, Certified Shorthand Reporter,
 15 hereby certify to the following:
 16 That the witness, ALEXANDRU BITTNER, was duly sworn
 17 by the officer and that the transcript of the oral
 18 deposition is a true record of the testimony given by
 19 the witness.
 20 I further certify that pursuant to FRCP Rule
 21 30(e)(1) that the signature of the deponent:
 22 ___X___ was requested by the deponent or a party
 23 before the completion of the deposition and returned
 24 within 30 days from date of receipt of the transcript.
 25 If returned, the attached Changes and Signature Page

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